

Bindery

The Department of State

bulletin

Vol. XXXI, No. 792

August 30, 1954



RESIGNATION OF UNDER SECRETARY SMITH 306

**THE INTERRELATIONSHIP OF MILITARY POWER AND
FOREIGN POLICY • *by Deputy Under Secretary Murphy* . 291**

**CHARTER REVIEW AS A MEANS OF STRENGTHENING
THE U.N. • *by Deputy Assistant Secretary Wainhouse* . . . 296**

**U.S. OBJECTIVES IN THE NEAR EAST • *Correspondence
with Representative Celler* 316**

**DEMAND FOR PAYMENT FROM CZECHOSLOVAKIA IN
PLANE INCIDENT 302**

**REDUCING THE MENACE OF OIL POLLUTION • *Article
by Rear Admiral H. C. Shepherd and John W. Mann* 311**

For index see inside back cover



The Department of State bulletin

VOL. XXXI, No. 792 • PUBLICATION 5578

August 30, 1954

The Department of State BULLETIN, a weekly publication issued by the Public Services Division, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes selected press releases on foreign policy, issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information is included concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest.

Publications of the Department, as well as legislative material in the field of international relations, are listed currently.

For sale by the Superintendent of Documents
U.S. Government Printing Office
Washington 25, D.C.

PRICE:
52 issues, domestic \$7.50, foreign \$10.25
Single copy, 20 cents

The printing of this publication has been approved by the Director of the Bureau of the Budget (January 22, 1952).

Note: Contents of this publication are not copyrighted and items contained herein may be reprinted. Citation of the DEPARTMENT OF STATE BULLETIN as the source will be appreciated.

The Interrelationship of Military Power and Foreign Policy

by Deputy Under Secretary Murphy¹

This is a good place and a good time to discuss the interrelationship of military power and foreign policy. Omaha is a good place because in the environs of this prosperous, peaceful, and hard working community, deep in the American hinterland, is located the headquarters of the great strategic air force. And the time is good for the reason that events are plainly compelling the United States to reexamine some of the assumptions and plans upon which it has heretofore approached its great task on behalf of its own vital interests and those of its partners in the free world.

Precisely what is the American task? As defined in the recent past by the President and the Secretary of State, United States foreign policy is trying to do three things. Its aim is to prevent war and the further disruption of civilization as a result of war. Its aim is to demonstrate, by conduct and example, the good fruits of freedom in contrast with the bitter fruits of despotism. Its aim is to provide the major part of the world's effort needed for the healthy development of the world's undeveloped areas.

These are the simple fundamentals of the American approach to the rest of the world. As Secretary Dulles has said on another occasion, these aims do not include an obligation on our part to be responsible for everything and anything that may happen on this troubled and divided planet. We do not consider it to be our self-appointed mission to attempt to put things to right whenever they go awry elsewhere in the world. Nor are we under any delusion that there exists any magic American formula for solving the world's problems. Our intent, as the President recently put it, is to be above everything else a "good partner," and in that role we propose to proceed under the traditional assumption that, as regards the rest of the world, the best solutions to the common besetting problems are those originating with the peoples directly concerned.

Now we have in ample measure the means to live with these aims, the crude and naked hostility of the Communist bloc notwithstanding. It is no exaggeration to say that never before, in a period short of general war, has American military power been so great relative to that of any avowed or prospective enemy, or combination of enemies. There is no question in my mind that our commanding position in the new technology of warfare—particularly nuclear weapons and the air power for delivering them—leaves the balance of power tilted in our favor.

Nevertheless a paradox today pervades the American position. These same weapons that assure us the margin of advantage over a thrusting and implacable enemy have themselves generated doubt and apprehensions, not only at home but also among our allies.

This is indeed a strange and puzzling situation. With what is this nation left to defend itself if the instrumentalities brought forward out of our technical inventiveness are themselves allowed to become the object of brooding misgivings and indecision?

Let me make myself clear. I share with all reasonable men an abhorrence of war, whether nuclear or conventional. Most of us here have had experience with war. We are all, I am sure, equally revolted by the mere thought of any possible resumption of slaughter, all the more so in the context in which, as a result of the development of mass-destruction weapons, war is now commonly envisaged. If we Americans can be said to have one unifying desire, dominating others, it is to prevent the outbreak of more war.

Yet it seems to me that a good deal of nonsense is being written and spoken about these new weapons. Suppose the situation had been reversed. Suppose it had not been us but the other side that had first come into possession of these weapons of advantage. Then there would indeed be reason for hysteria and hand-wringing. Let us be thankful that these new forms of power have been a bulwark to the free world's defense.

¹Address made before the Air Force Association at Omaha, Nebr., on Aug. 20 (press release 463).

Cold wars demand cold nerves. It is important, of course, not to underestimate one's enemy. But let us never be lulled into underestimating our own strength. The United States has no intention of dumping its nuclear stockpiles loose upon the world. Through all the harassment of a cynical and relentless enemy our purpose has remained clear. These weapons will be called into play only to put down aggression. But neither does the United States propose to invite its own annihilation. We cannot—we will not be annihilated.

Need for Perspective

The important thing is for Americans and our friends and allies to keep their perspective in this matter. We have strength—more, I suspect, than is generally realized. And that strength includes a good deal more than the obvious military quotients. Most importantly, they include the essential reserves of national character. We Americans have long since ceased to be a new and young and presumably reckless people. Compared to these totalitarian and authoritarian communities that now challenge the existing order we are really quite old, and we are certainly mature as traditions are measured. As the President wisely pointed out the other day, no one need fear that the United States will act impulsively or truculently. It is not in our character, when great issues are at stake, to be diverted by small commotions. If we have held our fire, if we have refused to bring our reserves of power to bear peremptorily upon peripheral situations, it is because of our deliberate and calculated policy not fully to engage our strength so long as there is hope for a peaceful and reasonable settlement of the conflict that is engrossing too much of the energies and resources of the world.

This audience can be depended upon to keep its head clear on this essential point. More than most, you have a professional knowledge of the nature and meaning of the new technical foundations of American power. But some are in danger of being misled. The Soviet adversary has been extremely clever. He has hammered tirelessly and, I regret to say, with some success on the bogus theme that, if only the United States could be forced by the pressure of world opinion to spike its atomic weapons, peaceful coexistence would be possible and tension would disappear among nations. That propaganda has played upon the natural instincts of decent people everywhere. In consequence, there has been generated in some of the communities which lie between us and the Soviet Union a generalized but baseless fear that the world is drifting toward a thermonuclear holocaust from which at best only the husk of civilization as we know it would survive.

I, for one, refuse to yield to so pessimistic a view. Marvelous as may be the progress of science, I cannot bring myself to believe that man has or

ever will come into the means of encompassing his own extinction. My faith teaches me otherwise, and the slow progress of civilization confirms my belief. Moreover, as a practical matter, I believe that our possession of these weapons has confined the spread of the Soviet tyranny within its present limits.

There is no mystery about the American attitude in the matter of nuclear weapons. Ever since 1946 this country has endeavored to work out with Soviet Russia a plan for the control of mass-destruction weapons. What we invented we were prepared to put aside in the general interest of mankind. We insisted, however, that this be done in such manner as to insure, by effective controls and safeguards, that these mass-destruction weapons would be abolished in fact and not in fancy. We also asked that, in the common interest, all other armed forces and conventional weapons should be simultaneously reduced and regulated under adequate safeguards and in such balanced way as to avoid a disequilibrium of power. In brief, we believe that the Communist world must reduce those elements of armed strength in which it has preponderance, just as we would cut down those elements in which we have greater strength than the Communists.

Atomic Energy Pool

The United States went farther. The President, in his historic proposal before the United Nations last December, offered to share with other nations, on a fair and equitable basis, part of the immense pool of energy now represented by the American atomic stockpiles. This was a bona fide offer. It was intended to divert the world from a morbid preoccupation with only the malign potentialities of atomic energy to the benign uses of which it is fully susceptible. The American idea was to set up an international atomic energy agency or authority through which this material could be used to help supply the needs of the power-starved areas of the world and in time to supply the needs of industry, agriculture, medicine, and other peaceful pursuits.

This was not a new kind of disarmament proposal. This was a project for world cooperation in atomic energy—not for international control. The contributions of fissionable material to the international authority would be limited by prudence, and initially the quantities would be small. But the hope was that from such a beginning, with this new material being put to work in constructive and healing enterprises, the film of distrust that now clouds so much of the world's thinking would be dissipated and in due course a basis of understanding would emerge.

Unfortunately, as Secretary Dulles mentioned the other day,² the Soviet response to this proposal

² BULLETIN of Aug. 23, 1954, p. 273.

has been just about "99 percent negative." The Soviet Union has, in effect, said that it cannot discuss an agency devoted to the peaceful pursuits of atomic energy unless the U.S. agrees first to "a solemn and unqualified obligation not to use atomic, hydrogen, or other weapons of mass destructoin."

The Soviets, in their perverse way, without ever quite saying no but never yes, have tried to torpedo the proposition.

There the matter rests. The Soviets—up to the present at least—won't come forward to join the United States in a joint contribution of fissionable material to an international agency in the general interest. And they have made it plain there is to be no disarmament except on their terms—terms that call for banning atomic weapons by paper promises without adequate means by which to see the ban is a fact and not an illusion, terms which put off to an indefinite future any reduction in the weapons and manpower in which they have the military advantage.

In the face of these circumstances, the United States, while holding the door open for negotiation, has no choice, in the absence of a safe alternative, but to stand meanwhile on the resources it has developed for its own defense.

How these resources fit into American foreign policy and in turn into national strategy has been laid down by Secretary Dulles in a famous speech.³ He said that our strategy depends "primarily upon a great capacity to retaliate, instantly, by means and at places of our choosing." The key phrase is "a great capacity." We, of course, also depend on collective security and on the necessity for flexibility and facilities which make various responses available to meet aggression. Our policy is not to turn all wars into total wars but to be able to insure that aggression does not pay. The strategy enunciated by Secretary Dulles still stands. There has been no turning away from it. And the fact that this capacity was not brought directly into action in the most recent theaters of provocation—Korea and Indochina—in no way derogates from the validity of the strategy. On the contrary, it indicates the compunction with which it will be used.

There is increasing and convincing evidence that the Communist strategists have in their own secret councils tacitly acknowledged the superiority of American air and atomic power. It is noticeable that since Mr. Dulles made his pointed references to the American capacity to retaliate on a massive scale there has been a visible decline in the trend of open aggression—even a manifest eagerness, as in Viet-Nam, to liquidate aggressive operations in progress short of full success.

In this new reluctance of the Communist bloc

³ Made before the Council on Foreign Relations on Jan. 12 (*ibid.*, Jan. 25, 1954, p. 107).

to undertake new overt military adventures we may have reason for encouragement, even though an occasional Red Chinese general or commissar may indulge in bombast about taking Formosa. The Soviet periphery extends across 20,000 miles, and we can perhaps expect to hear more such threats in the future—threats that will from time to time undoubtedly be accompanied by hostile pressures, tentative or otherwise.

New Phase of Cold War

Nevertheless, the cold war at the moment appears to be entering a new phase. A lull seems to have fallen on Soviet-directed action. Where the game before was to step up the pressure and heighten the tension, Soviet strategy, in its current manifestation, seems to have for its immediate object a gradual letdown in the pressure readings. This shift may be connected with a number of reasons, including, among others, a scheme to lull the non-Communist world in order to divide it and, in any event, to isolate this country. But there may be another and more significant reason. It could well be that Soviet leadership has at long last perceived the unwisdom of recklessly challenging the determination of the American people as expressed by responsible members of our Government.

But overt action is only one of the many means of conquest practiced by Soviet strategy, and it is perhaps the easiest to oppose. Subversion as a highly developed technique poses for us a far more delicate and dangerous threat in those areas where, for a complex of political, economic, and social reasons, the populations are especially vulnerable to Communist infiltration. Among people longing for independence or caught up in backward economies or suffering under social inequities, the Communist drive has, in many instances, succeeded in undermining the political structure. These successes have no doubt whetted Communist appetites. In Indochina, for example, successful infiltration and subversion of this kind finally led to open conflict. In such situations, where the American contribution is indirect and where control of matters rests in hands other than our own, the problem of devising a successful response becomes difficult.

Here, it seems to me, the capacity for retaliation by itself is not enough, nor, for that matter, was it ever intended to supply the whole answer. The world as it exists consists of many different bits and pieces, and a strategy that is effective in one part is not necessarily effective in another. It is one thing, for example, to draw a line across the highly developed communities of one continent and say that an open assault in that region could only result in starting a general war. But among the more distant and less politically stable communities, what good is a line if subversion and in-

filtration, reaching into innumerable villages and hamlets, have suddenly brought the friendly government down from within? The thing to retaliate against has by that time lost itself among and merged with the innocent and the duped; the line of demarcation has vanished, and only catastrophe could result from bringing the new means of power to bear.

My point is an obvious one. It is that while the capacity for retaliation, so long as it is maintained in such strength that it cannot be itself overpowered, can be a decisive deterrent to a general war, it is not necessarily the complete answer to all situations. Mr. Dulles saw this clearly when he defined the present strategy. He stressed the need for local defense and for the shoring up of local governments against internal subversion and indirect or minor satellite aggressions. But, as Indochina demonstrated, a gap lay exposed in the free world's defense and the enemy exploited it.

Plainly, Viet-Nam was not the last such opening. The situation in Southeast Asia is still in danger. But out of the meeting of Pacific and Southeast Asia powers in the Philippines early next month will, we hope, develop a community defense embracing much of that area.

Elsewhere in the world the community defense idea is developing slowly and unspectacularly, but solidly. In the Balkans and in the Near and Middle East along the so-called northern tier of nations between Turkey and Pakistan, new alliances and consultative arrangements are taking shape. A deterring bulwark is materializing slowly around the Communist orbit.

All this is to the good. But there is one thought I should like to leave with this distinguished and experienced audience. In our response to the Soviet challenge, it has more than once occurred to me that we Americans have been inclined perhaps too quickly to the well-worn path of vast expenditures for military "hardware"; for the piling up of physical paraphernalia for defense and attack; for the organization, in short, of our national security almost exclusively in terms of physical safety and survival.

This, of course, is instinctive, basic, and essential. But have we not also tended to overlook something else equally advantageous? Specifically, I mean the possibility of influencing the minds and ideas of the masses behind the iron and bamboo curtains and those elsewhere who are constantly exposed to the deceptions of Communist propaganda. Are we really doing all we should in the realm of this vast unknown? Is it not possible that the channeling of only a fraction of the ingenuity, effort, and imagination now going into weapons into the additional task of reaching and influencing these minds might produce in time an incalculable dividend.

The opportunity before us, as I see it, is a choice between the possibility of victory attended by a

holocaust and a less spectacular but equally decisive victory minus the chaos and destruction that are implicit in these so-called unconventional weapons.

The ultimate strength of the American is not the weapons in his hands but his capacity for sustained purpose. We could make no greater mistake than to underestimate the profound importance of that resource.

Anniversary of Allied Landings

White House press release dated August 14

Following is a message from the President which was read on August 14 by Gen. Jacob L. Devers, personal representative of the President, at ceremonies at Le Canadel, France, marking the 10th anniversary of the landings of Allied armies of liberation.

Ten years ago an Allied force landed on the southern coast of France and later joined other Allied forces to liberate France and destroy a tyranny imposed by totalitarian dictators.

The valorous French First Army, led by the late Marshal deLattre de Tassigny, was among those forces which on that day demonstrated that there are men in the world strong enough and brave enough to make supreme sacrifices for the ideals in which they believe. The occasion of this landing was only one example of this heroism. Many times thereafter the reconstituted French forces, with their allies, showed the determination and courage that win and preserve freedom for men.

I have been proud to know the people of the great French nation, and I hold the deepest respect and admiration for their devotion, as individuals and as a nation, to their individual liberties and their country's independence. With them, I pay tribute to this great event now being commemorated; with them, I mourn their lost comrades, many of whom were also comrades of mine. Today, as new perils threaten, may we continue to march unitedly, as we did a decade ago, and together may we continue to strive and to persevere toward the international good-will and peace for which we commonly yearn.

Representative to U.N. Assembly

The Senate on August 20 confirmed James Philip Nash to be an alternate U.S. representative to the ninth session of the General Assembly of the United Nations, to serve no longer than December 31, 1954.¹

¹ For confirmations of other U.S. representatives, see BULLETIN of Aug. 16, 1954, p. 248.

Flood Relief for Pakistan

PRESIDENTIAL AUTHORIZATION

White House press release dated August 14

The President sent a memorandum on August 14 to the Secretary of State, Secretary of Agriculture, Director of the Bureau of the Budget, and Director of the Foreign Operations Administration advising them of his approval of emergency assistance to flood victims in Pakistan. The President's action was in accordance with a recommendation by the Director of the Foreign Operations Administration and was pursuant to the authority vested in him by Title II of Public Law 480, 83d Congress, 2d Session.

This was the second such action this week. On August 12 the President approved similar emergency assistance for meeting flood and other urgent requirements in Austria, the Federal Republic of Germany, and the Soviet Zone of Germany.¹ In the August 12 action the President directed that up to \$4 million worth of agricultural commodities from the stocks of the Commodity Credit Corporation be used for relief in that area, this sum being computed on the basis of the Corporation's investment in the commodities made available for export together with cost of processing, packaging, inland transportation within the United States, and handling.

No announcement was made of the specific amount of relief assistance authorized for Pakistan, pending a more precise determination of the full extent of the flood damage. However, American diplomatic representatives in Pakistan have reported during the past few days that extraordinarily serious floods in East Pakistan have directly affected an estimated total of 7 million people. It is also clear on the basis of present reports that there has been widespread destruction of the homes of villagers and considerable damage to crops.

The President directed that the Secretary of State conclude any bilateral agreement with the Government of Pakistan that may be necessary in connection with the furnishing of the authorized assistance.

Arrangements for carrying out the program, including specifications of the commodities and the provision of mutual security funds to cover the costs of ocean transportation, are the responsibility of the Director of the Foreign Operations Administration under the President's memorandum. The transfer of the commodities will be upon such terms and conditions as the Director determines to be appropriate, after consultation with the Secretary of State.

¹ BULLETIN of Aug. 23, 1954, p. 271.

MEDICAL SUPPLIES FLOWN TO DACCA

The Department of Defense announced on August 14 that two U.S. Air Force transport planes had left the United States the previous day for Dacca with a cargo of 55,000 to 60,000 pounds of medical supplies for flood victims in East Pakistan. The planes were to be routed through North Africa.

Meanwhile 40 two-man teams of Army medical corpsmen from the Far East Command were preparing to fly from bases in Japan with supporting personnel and equipment.

The Foreign Operations Administration furnished the medical supplies flown to Pakistan by the Air Force. Included among the supplies were various serums and large quantities of chlorine powder and sulfa drugs to be used by the medical teams to combat possible cholera and typhus epidemics.

In addition, Foa announced on August 14 that the U.S. Public Health Service of the Department of Health, Education and Welfare is sending Dr. Alexander Langmuir, chief of epidemic control programs, and a six-man team of experts.

More than 7 million persons have been affected by the rampant overflow of the Brahmaputra River, swollen by the incessant rains of the monsoon season which extends from mid-May into October. According to reports from the flood area received by Foa, the summer rice crop has been inundated and partly destroyed. Although rice stores generally have been saved, the flood makes distribution difficult. A sizable portion of the jute crop has been wiped out. Many homes, livestock, and effects have been washed away.

Pakistani Prime Minister's Visit

White House press release dated August 18

At the invitation of the President, Mohammed Ali, Prime Minister of Pakistan, will visit the United States this fall.

The Prime Minister is scheduled to arrive in this country early in October. After brief visits to other cities, the Prime Minister will come to Washington on October 16 as an official guest of the U.S. Government and will remain at Blair House until October 18.

The purpose of the Prime Minister's visit will be to renew personal and official friendships which he made as Pakistan's Ambassador to the United States in 1952-53, and to discuss with U.S. officials general problems of mutual interest.

The President will give a luncheon for the Prime Minister at the White House on October 18.

Senators Smith and Mansfield To Attend Far East Conferences

Press release 406 dated August 20

Secretary Dulles has invited Sen. H. Alexander Smith of New Jersey and Sen. Mike Mansfield of Montana to accompany him as bipartisan congressional advisers to the United States-Philippine Council meeting in Manila on September 4, and the meeting on a Southeast Asia Pact beginning on September 6.¹ Both Senator Smith and Senator Mansfield have accepted this invitation.

Both Senator Smith and Senator Mansfield are recognized as experts on the Far East. Senator Smith is Chairman of the Senate Foreign Relations Subcommittee on the Far East. Senator Mansfield, also a member of the Senate Foreign Relations Committee, previously served on the Foreign Affairs Committee of the House.

Charter Review as a Means of Strengthening the U.N.

by David W. Wainhouse

Deputy Assistant Secretary for United Nations Affairs²

I am pleased to have the opportunity to bring to you today the views of the Department of State on the problem of charter review. In the fall of 1955 the General Assembly will vote on the question of calling a general conference to review the present United Nations Charter. Secretary Dulles has already gone on record in favor of holding a review conference. If the General Assembly votes in favor of holding the conference, as is expected, it will presumably take place either in 1956, or at least by 1957.

Preparations for the review conference are moving ahead. Last year the General Assembly voted overwhelmingly to have the Secretariat prepare important background documentation in connection with the charter review conference. This will include the publication of some unpublished documents of the original San Francisco

¹ For announcements of the two meetings, see BULLETIN of Aug. 23, 1954, p. 264. The Southeast Asia Pact meeting, originally to have been held at Baguio, will take place at Manila instead.

² Address made before the American Bar Association at Chicago, Ill., on Aug. 17 (press release 448 dated Aug. 16).

Letters of Credence

Guatemala

The newly appointed Ambassador of Guatemala, Lt. Col. José Luis Cruz Salazar, presented his credentials to the President on August 16. For the text of the Ambassador's remarks and the text of the President's reply, see Department of State press release 446.

Viet-Nam

The newly appointed Ambassador of Viet-Nam, Tran Van Chuong, presented his credentials to the President on August 16. For the text of the Ambassador's remarks and the text of the President's reply, see Department of State press release 447.

conference in 1945, a survey of precedents of United Nations organs, and a detailed index of the San Francisco conference documents. This preparatory work can give all members of the United Nations a general idea of the practical adjustments to changing circumstances which have been made in carrying out the charter's provisions. It will show to what extent the charter has adaptability and capacity for development as a constitutional instrument. It should help clarify where the imperfections of the charter are. It should show how many, if not all, of the deficiencies in the charter can be corrected by solutions not involving charter amendments.

When the eighth session of the General Assembly was debating whether to vote the preparatory studies as an aid to consideration of the charter review problem, the United States representative made it perfectly clear that this country was favoring review of the charter, and not necessarily revision. He told the Assembly:

We do not know now whether changes in the charter will be desirable or possible.³

³ BULLETIN OF Dec. 28, 1953, p. 910.

Other countries similarly saw the question as one of holding a general conference to survey the charter in the light of the United Nations experience since 1945—to look it over, without any advance commitments or preconceived notions favoring change.

But this view was not taken by all the members of the Assembly. The Soviet bloc of five, which alone voted against the preparatory studies, interpreted the discussion of charter review as a campaign to amend the charter, and to amend it in one particular—by eliminating the principle of unanimity among the great powers, or the veto, as it is commonly known.

Apart from the Soviet attitude, there is much interest in a number of countries in charter review. Government commissions and citizen groups have been formed in such diverse countries, for example, as the Netherlands and Egypt.

Development of Public Consensus

It is a healthy sign that so much interest has developed and that so much preparation is under way 2 years before the review conference. The Department of State keeps in close touch with public opinion in this country. Our public opinion analyses indicate that the interest on the part of the American people on the subject of charter review is great. We are aware also that the American people today are more realistic and analytical in their appraisal of the United Nations than they were in the optimistic days of the San Francisco conference. This balanced understanding of the American people is a firm foundation for examining the crucial issues which will arise in a charter review conference.

The policies which the United States will follow at the conference will be decided upon after the democratic consensus in this country has made itself felt on the important problems. Already we are moving on many fronts. In the first place, a subcommittee of the Senate Foreign Relations Committee, chaired by Senator Wiley, has already completed several excellent studies on subjects such as membership, the development of the United Nations, and the veto. The Senate subcommittee is performing the important task of tapping the grass roots of public opinion by holding hearings in many cities and areas throughout the United States. Hearings have already been held in Akron, Milwaukee, Asheville, and Louisville, and others are scheduled during the ensuing months.

Secondly, private organizations, such as the Brookings Institution and Carnegie Endowment, are supporting or are themselves preparing serious and detailed studies and are holding seminars with a view to placing at the disposal of our Government their findings. We welcome the efforts being made by organizations such as yours to study the issues involved.

Thirdly, the Department of State itself is preparing detailed studies of the problems which have arisen during the last 9 years. It is expected that sometime late in 1955 American public opinion will have developed, the advice of the Senate will have been received, and our own detailed studies completed.

We will then be ready to consult in detail on specific proposals with our free world allies. Charter review is essentially a political problem and must be considered in the context of existing relations among states and the demands of the world situation, from the standpoint not only of United States interests but also of the parallel interests of the rest of the free world. The United Nations is a voluntary association of sovereign states, which depends for implementation of its decisions on the free cooperation of its members. Care must therefore be taken at a review conference to avoid action that would jeopardize this cooperation, and to assure that the decisions reached will contribute to, rather than detract from, the free world's sense of common interest. If the charter review conference is to succeed as an instrument for strengthening the United Nations, it can only do so if the views of other members of the free world are taken into account fully. As Secretary Dulles has aptly put it:

... while a Charter Review Conference should be welcomed as a means of strengthening the United Nations, difference of opinion about how to do this should not then be pressed to a point such that the Review Conference would result in undermining the United Nations or disrupting it. The United Nations as it is, is better than no United Nations at all.⁴

Scope of Review

President Eisenhower has said of the United Nations that "it still represents man's best organized hope to substitute the conference table for the battlefield" and he has characterized it as a "sheer necessity." There is in this country strong support for the United Nations, as shown, for example, by last week's Gallup poll. There is also some disillusionment. There are those who feel that the failure of the United Nations to fulfill all their hopes arises from the fact that it does not go far enough. They advocate its transformation from a voluntary organization of sovereign states into some sort of superstate. At the other extreme are those who are basically skeptical of all worldwide efforts toward international cooperation. They would like to see the United States withdraw from the organization. Still others would like to see the U. S. S. R. and its satellites expelled and the United Nations turned into a closely knit military alliance.

Secretary Dulles in his testimony of January 18 before the Senate subcommittee⁵ said that such

⁴ *Ibid.*, Feb. 1, 1954, p. 172.

⁵ *Ibid.*, p. 170.

proposals do not fall within the proper scope of charter review, since the purpose of such review is to strengthen the existing organization—not to destroy it or completely to change its character. To try to write a completely new charter would, in the words of Secretary Dulles, “open a Pandora’s box,” and the chances of bringing together in a new organization anything approaching the present membership of the United Nations would not be good.

No decision has yet been taken on what amendments to the charter, if any, the United States should advocate. The past 9 years’ experience in the United Nations points to certain major questions as likely to arise at any review conference.

1. *Membership*

One of these questions is the scope of United Nations membership. Would it be desirable to make that membership as nearly universal as possible, always remembering, of course, that there are some regimes that still completely disregard accepted standards of international conduct? The United Nations was in a sense much more nearly universal 9 years ago than it is now. Since 1945, many new nations have come into being, and the ex-enemy states, excluded from original membership in the United Nations, are again becoming important members of the world community. There are now 19 applicants for United Nations membership, 14 of which would have been approved except for Soviet veto. The other five—sponsored by the Soviet Union—have never received a majority vote, since it has not been thought they meet the charter qualifications for membership. This impasse with respect to new members has caused growing concern, and at a review conference two questions in this connection may be raised: Does article 4 of the charter set forth the proper criteria for membership, and should the veto on the admission of new members be eliminated? The Vandenberg resolution of June 11, 1948, recommended a voluntary agreement among the five permanent members of the Security Council to remove the veto in this regard.

2. *Security*

The Security Council has been unable in this sharply divided world to exercise its “primary responsibility for the maintenance of international peace and security.” This raises the basic question whether there are any feasible charter changes that would enable the Council more effectively to discharge this responsibility or whether we should rely on alternative arrangements. For example, could the charter provisions for membership and voting in the Council be improved? Should the veto be removed from the pacific settlement of disputes under chapter VI of the charter? This also was recommended by the Vandenberg resolution, which, you will recall, was adopted by the Senate on June 11, 1948, by a vote of 64-4. Carry-

ing forward the line of development begun in 1950 with the uniting-for-peace resolution, should greater responsibility in the security field be assigned to the General Assembly, where there is no veto? Or in the present world situation might we consider leaving primary responsibility for security to collective self-defense and regional organizations authorized by articles 51 and 52 of the charter?

3. *General Assembly*

The growing importance of the General Assembly in the security field, together with the increasing attention being given by the Assembly to economic and social problems and to “colonial” issues, suggests the question whether some type of weighted voting is needed in that organ reflecting the capacity of members to assume economic and military responsibilities. Further, there is the question whether in these circumstances some re-allocation of functions as between the Assembly, the Economic and Social Council, and the Trusteeship Council is needed to enable the United Nations to function more effectively. The magnitude of the program in the economic and social field, as well as its importance in strengthening the free world, points also to a reexamination of the relationship between the United Nations itself and the specialized agencies to see whether any greater integration of the latter with the former would contribute to the efficient operation of this program.

4. *Domestic Jurisdiction*

There has been a growing tendency in the United Nations for states whose sympathies are aroused by conditions outside their own boundaries to bring these conditions to the attention of the organization. This development has given rise to questions and in some cases grave apprehension concerning the interpretation of article 2 (7) of the charter, which stipulates that the United Nations shall not intervene in matters essentially within the domestic jurisdiction of a state. It may be asked, therefore, whether article 2 (7) adequately delimits the competence of the United Nations, or whether a more precise line should be drawn between the common interests within the scope of the association and the individual interests that remain the exclusive concern of a member state.

5. *Armaments*

While the question of regulation of armaments did not receive particular emphasis in the writing of the charter, the awful destructiveness of atomic and nuclear weapons has since heavily underscored this problem. Much effort therefore has been and is being spent by the United Nations in seeking a solution to it. The lack of progress is directly attributable to Soviet policy, but the question still remains whether anything was omitted

from the United Nations basic structure that, if added now, might assist our continuing effort to reach general agreement on a comprehensive program of safeguarded arms regulation and reduction.

6. *International Law*

The role of the U.N. in the advancement of international law is one that particularly commends the attention and faculties of lawyers. Secretary Dulles has asked whether the charter provisions are adequate in view of the importance of law as an accepted standard of international conduct. Article 13 of the charter calls on the General Assembly to initiate studies and make recommendations for the purpose of encouraging the progress and development of international law and its codification. We would all agree, I am sure, that so far too little progress has been made in this field. The difficulty is not too hard to find. With one-third of the world's population ruled by those who do not recognize any moral law and look upon law as another means whereby those in power destroy their enemies, we can understand the difficulties encountered in expanding the scope of international law.

The question which will confront the review conference is what can be done to improve present U.N. activities in the field of codification and development of international law. What can be done to make the actions of nations more orderly? Should efforts to prepare codes of international law be pressed? Should other countries which have not already done so be encouraged to make declarations accepting compulsory jurisdiction of the Court? Should there be established, as suggested by some members of the Bar and writers on international law, regional international tribunals with jurisdiction of private international claims cases submitted by one government against another when negotiation has been unfruitful? Could the composition of the International Law Commission be improved, and could its terms of reference be revised to place emphasis on the restatement of international law? Can greater emphasis be placed on the disposition of legal questions on the basis of law? On these queries there can be a productive exchange of ideas among individuals and groups in the United States who are interested in the charter review problem.

In conclusion let me say that the case for charter review is a strong one. At San Francisco, in 1945, many states had accepted charter provisions to which they strongly objected, on the understanding that there would be an opportunity to review these provisions at the end of 10 years, and we should keep faith with them. Moreover, charter review can be the means to achieve a real strengthening of the U.N. Let us not be deterred by the presence of the veto. A careful review of the charter against the background of 10 years' experience should bring greater understanding to our

people and to the peoples of the world of how essential the U.N. is to the peace, security, and well-being of Americans and the rest of the world. At least the review conference should serve to make clear that the failure of the U.N. to fulfill entirely the high hopes held for it at San Francisco is primarily a matter of political actions and attitudes of member states, and particularly, the Soviet Union.

Charter review should bring about a greater understanding of the potentialities of the charter. It should bring a clear realization of the development within the charter framework that has already taken place in order to meet a world situation not foreseen in 1945. Such a reappraisal could also serve to develop improved practices under the charter. These give some indication of the potential value of a review conference. On the other hand, we must bear in mind that it has its dangers; we recognize that calling the conference might arouse false hopes and might stimulate efforts to rewrite the charter which could seriously endanger the U.N. I am hopeful that we shall avoid these pitfalls and that from the charter review conference there will result the stronger U.N. we seek.

Conclusion of Discussions on St. Lawrence Seaway

Press release 457 dated August 18

The Department of State announced on August 18 the successful conclusion of discussions between the Governments of the United States and Canada on the intergovernmental measures required as a result of the passage by the Congress, and approval by the President on May 13, 1954, of Public Law 358, authorizing participation by the United States in the St. Lawrence Seaway project. The way is now clear for action on both sides of the boundary in the construction of deepwater navigation facilities from Lake Erie to Montreal. It is expected that construction will be completed by the end of 1958.

These discussions were held at Ottawa on July 5 and 6, 1954,¹ and on August 12 and 13, 1954. The Chairman of the U.S. group was Deputy Secretary of Defense Robert B. Anderson. His principal associates were Assistant Secretary of State Livingston T. Merchant; Lewis G. Castle, Administrator of the St. Lawrence Seaway Development Corporation; and Wilbur M. Brucker, General Counsel of the Department of Defense. The Chairman of the Federal Power Commission, Jerome K. Kuykendall, and Assistant Attorney General J. Lee Rankin also participated in the first session.

¹ For the text of communique issued July 6, see BULLETIN of July 26, 1954, p. 125.

On the Canadian side, the discussions were led by Secretary of State for External Affairs Lester B. Pearson. Other members of the group were Minister of Trade and Commerce C. D. Howe, Minister of Transport G. C. Marler, and Lionel Chevrier, President of the St. Lawrence Seaway Authority.

Notes were exchanged at Ottawa on August 17 embodying the understandings reached in these discussions. The texts of the notes follow.

Canadian Note

Note No. X-214

OTTAWA, August 17, 1954

SIR: I have the honour to refer to the Exchange of Notes of June 30, 1952,² between the Canadian Ambassador in Washington and the Acting Secretary of State of the United States in which it was agreed that the Canadian Government would, when all arrangements had been made to ensure the completion of the power phase of the St. Lawrence Project, construct locks and canals on the Canadian side of the International Boundary to provide for uninterrupted 27-foot navigation between Lake Erie and the Port of Montreal.

With the cooperation of the Government of the United States, arrangements were made to ensure the completion of the power phase of the Project by the Power Authority of the State of New York and the Hydro-Electric Power Commission of Ontario. In the meantime, the Congress of the United States enacted and the President approved on May 13, 1954, Public Law 358 which created the Saint Lawrence Seaway Development Corporation and authorized and directed it to construct 27-foot navigation works on the United States side of the international section of the St. Lawrence River.

At the request of the United States Government, representatives of our two governments held meetings in July and August of this year to discuss the need for modification of the Notes exchanged on June 30, 1952 in the light of Public Law 358. Although the Canadian Government is ready and willing to complete the works necessary for 27-foot navigation in the St. Lawrence Seaway on Canadian territory, it understands the desire of the United States to participate in the Seaway Project by constructing certain navigation works on United States territory. Accordingly the Canadian Government is prepared to modify the arrangements set forth in the Notes of June 30, 1952, to the extent that the Canadian Government will be relieved of the obligation towards the United States Government to provide forthwith the navigation works in the general vicinity of Barnhart Island on Canadian territory and in the Thousand Islands section.

² *Ibid.*, July 14, 1952, p. 65.

(a) The Canadian Government wishes to state, however, that it will construct forthwith a canal and lock at Iroquois and that in addition it intends, if and when it considers that parallel facilities are required to accommodate existing or potential traffic, to complete 27-foot navigation works on the Canadian side of the International Rapids Section.

(b) Before undertaking these latter works in the general vicinity of Barnhart Island, the Canadian Government agrees to consult the United States Government and understands that, should the United States Government intend to build on United States territory in the International Rapids Section navigation works in addition to those provided for in Public Law 358, it would similarly consult the Canadian Government.

The Canadian Government reserves the right to decide whether and in what manner it will continue 14-foot navigation works through the International Rapids Section but agrees to consult the United States Government on the question of levying tolls in connection with such works.

(a) It is recognized that it is of great importance to Canada and the United States that the St. Lawrence Seaway be used to the maximum extent required by the needs of commerce. It is understood therefore that both Governments will use their best endeavours to avoid placing unreasonable restrictions on the transit of passengers, shipping or trade in the international section of the St. Lawrence Seaway.

(b) It is further agreed that each Government will consult the other before it enacts any new law or promulgates any new regulation, applicable in the respective national parts of the international section of the St. Lawrence River, which might affect Canadian or United States shipping, or shipping of third-country registry proceeding to or from Canada or the United States respectively.

(c) Similarly, with respect to any laws or regulations now in force in either country which affect the shipping interests of the other country in the international section of the St. Lawrence River, the Government affected may request consultation concerning such laws or regulations and the other Government shall accede to requests for consultation.

(d) The foregoing undertakings are in addition to the treaty obligations now in force between Canada and the United States affecting shipping in the St. Lawrence River and canals, particularly Article I of the Boundary Waters Treaty of 1909.

I should be glad to receive your confirmation that the United States Government agrees with the modification of the Notes of June 30, 1952, proposed in paragraph 3 and with the reciprocal undertakings set forth in paragraphs 4 (b) and 6 of this Note.

The Canadian Government looks forward to the fruitful development of this great Seaway Project

in constructive and harmonious cooperation with the United States and is confident that this joint enterprise will add to the strength and prosperity of our two countries.

Accept, Sir, the renewed assurance of my highest consideration.

L. B. PEARSON
*Secretary of State for
External Affairs*

DON C. BLISS, Esquire
*Chargé d'Affaires ad interim,
United States Embassy,
Ottawa.*

United States Reply

UNITED STATES EMBASSY
Ottawa, August 17, 1954

Note No. 38

SIR: I have the honor to acknowledge the receipt of your Note No. X-214 of August 17, 1954 in which you inform me that the Canadian Government agrees to certain modifications in the arrangements set forth in the Notes of our Governments of June 30, 1952, in the light of the changed circumstances with respect to the St. Lawrence Seaway Project brought about by the enactment by the Congress of the United States of Public Law 358, approved by the President on May 13, 1954.

The United States Government has called the attention of the Canadian Government to the provisions of Public Law 358 authorizing and directing the St. Lawrence Seaway Development Corporation to construct certain canals and locks on the United States side of the International Rapids Section of the St. Lawrence River as its part of the St. Lawrence Seaway Project. As the Canadian Government has been informed, it is the intention of the United States Government to participate in the St. Lawrence Seaway Project by constructing these navigational facilities.

The United States Government agrees with the requirements of consultation between the two Governments set forth in paragraphs 4 (b) and 6 and agrees to relieve Canada of its obligation of June 30, 1952 as referred to in paragraph 3 of your Note No. X-214 of August 17, 1954.

My Government notes the declarations contained in your Note as to the intentions of the Canadian Government with respect to other matters relating to the St. Lawrence Seaway Project.

The United States Government wholeheartedly shares the view expressed by the Government of Canada concerning the benefits to be anticipated from this joint enterprise and welcomes this new opportunity for constructive and harmonious cooperation between our two countries.

Accept, Sir, the renewed assurances of my highest consideration.

DON C. BLISS

The Honorable
LESTER B. PEARSON,
*Secretary of State for External Affairs,
Ottawa.*

Discussions With Panama

Press release 456 dated August 18

The first phase of the discussions between representatives of the United States and Panama, which began September 10, 1953, concerning relations between the two countries has now been concluded.

During this time the Panama delegation presented a number of proposals which have been carefully considered by the interested agencies of the Government of the United States.

Views have been exchanged concerning these proposals in the traditional atmosphere of cordiality which, happily, characterizes relations between Panama and the United States.

The United States has made certain offers bearing on the Panamanian proposals, and the Panamanian delegation will now return to consider these offers with the appropriate authorities of the Government of Panama.

It is expected that after such consultation the Panama delegation will return to Washington.

Atomic Energy Specialist Visits Latin America

The Department of State announced on August 14 (press release 442) that Robert LeBaron, adviser to the Chairman of the Atomic Energy Commission, has accepted an invitation from the Department of State to visit several of the other American Republics under the International Educational Exchange Program.

He left on August 14 for Lima, Peru. Other countries included in his itinerary are Brazil, Uruguay, Argentina, Chile, Panama, and Mexico.

During the tour, which will cover a period of approximately 3 weeks, Mr. LeBaron will speak before professional societies as well as the general public on atomic energy and its application to peaceful uses.

While in São Paulo, Brazil, he will represent this country at the International Exposition to which the U.S. Government has sent an exhibit entitled "Atoms for the Benefit of Mankind."

U. S. Demands Payment From Czechoslovakia in Plane Incident

Press release 465 dated August 20

The Department of State on August 20 released the text of a note delivered on August 18 by the American Embassy at Prague to the Czechoslovak Ministry of Foreign Affairs. The note from the U.S. Government to the Czechoslovak Government prefers a formal diplomatic claim against the Czechoslovak Government on account of the incident of March 10, 1953, when MIG aircraft from Czechoslovakia attacked two U.S. Air Force F-84 patrol aircraft within Germany, destroying one F-84 and injuring the pilot.

The Czechoslovak Government had, in prior notes on this subject,¹ admitted responsibility for the destruction of the F-84 but asserted that the incident took place 40 kilometers within Czechoslovakia and 25 miles south southwest of the Czechoslovak city of Pilsen, that the shooting took place in self-defense, and that it followed a refusal on the part of the F-84 aircraft to land. The note delivered on August 18 is the result of intensive investigation of the incident by the Department of State, and it rejects completely the Czechoslovak Government's defenses as unfounded in fact or law.

The note demands that the Czechoslovak Government pay damages to the U.S. Government in the amount of \$271,384.16 and invites the Czechoslovak Government, in the event that that Government contests the validity of the U.S. Government's claim, to join in submitting the dispute to the International Court of Justice.

The note is accompanied by a chart which presents graphically the essential facts concerning the MIG attack on the unarmed F-84 aircraft deep in the territory of the U.S. Zone of Occupation in Germany.

TEXT OF U.S. NOTE OF AUGUST 18

EXCELLENCY: I have the honor to transmit to you, upon the instruction of my Government, the following communication from my Government to your Government:

The Government of the United States of America refers again to the incident of the morning of March 10, 1953

¹ BULLETIN of Mar. 30, 1953, p. 474, and Aug. 10, 1953, p. 183.

in which MIG-type aircraft from Czechoslovakia attacked and destroyed within the United States zone of occupation in Germany an F-84 aircraft of the United States Air Force.

On July 29, 1953 the United States Government addressed a diplomatic note to the Government of Czechoslovakia informing the Czechoslovak Government that the United States Government had conducted and completed a most detailed investigation of all the facts regarding the incident of March 10, 1953.² The United States Government stated that the differences between the findings of fact made by it respecting the incident and the version given by the Czechoslovak Government were not reconcilable; that the issues of fact raised not only serious questions of credibility but important questions of international law; and that, consequently, it desired to defer the taking of appropriate further action until it had afforded the Czechoslovak Government adequate opportunity to submit to the United States Government the detailed documentary and other evidence which the Czechoslovak Government had indicated was in its possession, but which was not available to the United States Government, and which if true would prove the Czechoslovak Government's version of the incident. The United States Government declared that it reserved the right, if this evidence was not disclosed, to proceed upon the premise that material requested from the Czechoslovak Government and not disclosed would, if they were disclosed, be unfavorable to the Czechoslovak Government's position.

On February 25, 1954 the Czechoslovak Government's Foreign Office informed the American Embassy at Prague that the Czechoslovak Government "have not replied and do not intend to reply" to the United States Government's diplomatic note of July 29, 1953. It alleged as the reason for this position that the Czechoslovak Government in its notes of March 11, 1953 and of March 30, 1953 (which, as received by the United States Government was dated March 28, 1953) "had presented sufficient facts which indisputably proved the violation of the Czechoslovak air space by United States military aircraft, as well as other facts which fully confirm the responsibility of the United States Government for the regrettable incident".

From this behavior of the Czechoslovak Government the United States Government is compelled to conclude that the unwillingness of the Czechoslovak Government to produce any substantiation for the allegations of fact made in its notes of March 11, 1953 and March 30, 1953 arises from the absence of such evidence.

In consequence, the United States Government considers it is free to proceed henceforth in this matter upon the premises which were set forth for this contingency in the note of July 29, 1953.

The purpose of the present communication is to place upon the record the facts which the United States Government has found to be true and, on the basis of these findings of fact, to prefer against the Czechoslovak Government herewith an international diplomatic claim in the nature and in the amounts set out below.

² *Ibid.*, Aug. 10, 1953, p. 180.

I.

Following its intensive investigation of the incident of March 10, 1953, to which reference has been made, the United States Government has made the following findings of fact, which it asserts are true and which it is prepared to prove by evidence in an appropriate forum:

1. Consequent to the surrender of the German Armies and the assumption of supreme authority in Germany by the Allied forces which was announced on June 5, 1945, and through and including March 10, 1953, the United States Government as the occupant of the United States zone of Germany lawfully had and exercised control of the air space of that zone. The United States Air Force authorities situated in Germany assumed and discharged on behalf of the United States Government the duties of air traffic control within the United States zone of Germany, as well as the duty of aerial defense of this territory and of the occupation thereof by the United States Government. The discharge of these duties by the United States Air Force was well known at all times by the Czechoslovak Government and had been specifically notified to the Czechoslovak Government directly.

As the Czechoslovak Government well knew, no Czechoslovak or other alien military aircraft could lawfully cross into or over the United States occupied zone of Germany unless prior authorization for such overflight had been duly requested from and granted by the United States authorities. The established practice and procedure of the United States authorities in Germany, before and on March 10, 1953, was, as the Czechoslovak Government at all times well knew, to identify if possible all aircraft observed to enter the United States zone of Germany so that the purpose of such entry could be determined and the traffic pattern of such aircraft controlled. Where the identification of aircraft observed entering the United States territory of responsibility could not be determined from prior notifications, flight plans filed, or other information it was the practice where feasible to make use of fighter aircraft of the United States Air Force to perform interception for the purpose of identification, and for the purpose of reporting violations of applicable flight regulations committed by such overflying aircraft. At all times, before and on March 10, 1953, the pilots of such interceptor aircraft were under instructions under no circumstances to cross the border of Germany, and the persons controlling their movements were under instructions under no circumstances to permit the border to be crossed, or to engage in violence or force in effecting interception or identification.

2. During March 9, 1953 and in the morning of March 10, 1953 observation by United States Air Force authorities showed that military aircraft from Czechoslovakia were engaged in repeated unauthorized overflights of the border of the United States zone of Germany in circumstances which could not be fairly interpreted as innocent or accidental. The conduct of the Czechoslovak military aircraft involved plainly indicated an aggressive disregard by the competent authorities in Czechoslovakia of the air space of the United States zone of Germany and of the air traffic regulations applicable to overflights by military aircraft, as well as of the rights of the United States Government and the Government of the Federal Republic of Germany respecting the territory of the Federal Republic of Germany.

At 9:38 a. m. Greenwich Mean Time in the morning of March 10, 1953, on account of the number of such repeated unauthorized overflights of the United States zone of Germany by military aircraft from Czechoslovakia, the appropriate United States authorities dispatched two United States F-84 aircraft with instructions to proceed toward the border of Czechoslovakia, responding at all times to the orders of controllers, for the purpose of intercepting, identifying and reporting such aircraft overflying the United States zone of Germany. The two aircraft flew as an element, in accordance with the standard practice. The pilot of the lead aircraft was Captain

Donald C. Smith, Serial Number AO 1903259. The pilot of the wing aircraft was First Lieutenant Warren G. Brown, Serial Number AO 753603. Both pilots were members of the 53rd Fighter Bomber Squadron of the United States Air Force in Germany.

Before becoming airborne, in accordance with the standard practice then obtaining in such cases, the guns of both aircraft had been rendered inoperative by the armorers. From the moment of becoming airborne until, in circumstances which will be more fully described below, the two F-84 aircraft came down within Germany, both aircraft remained continuously and exclusively in the air space of the United States zone of Germany and at no time crossed the Czechoslovak border and at no time entered the Czechoslovak air space.

By the time the two F-84 patrol fighter aircraft had reached the border area within Germany in which the unidentified aircraft from Czechoslovakia had been observed, the overflying, unidentified aircraft had disappeared from observation. The two F-84 patrol aircraft were, therefore, in accordance with the usual practice, directed to and they did conduct a border patrol pattern of flight within the territory of the United States zone of Germany.

Flying at an altitude of approximately 13,000 feet the two F-84 patrol aircraft were proceeding in a southeasterly direction on a heading of approximately 140 degrees within Germany parallel to the range of mountains along which the Czechoslovak frontier ran when, at approximately 9:59 a. m. Greenwich Mean Time, unidentified military aircraft were again observed to be flying within Czechoslovakia toward the German border on a bearing which would bring them within one minute directly into and within the United States zone of Germany. Consequently, Captain Smith and Lieutenant Brown turned northward on a heading of approximately 320 degrees, upon the instruction of the ground control, and while proceeding on this heading they noticed two aircraft on their right moving at great speed from Czechoslovakia at approximately the same altitude as the two patrolling F-84 aircraft and on a course which converged with theirs. Seeking to evade collision with the intruding aircraft, Captain Smith and Lieutenant Brown immediately turned leftwards in a counter-clockwise direction. At this time the speed advantage of the intruding aircraft from Czechoslovakia was such that neither American pilot was able to identify the intruders from any markings, but from their silhouettes and speed they were identified as MIG-type aircraft. The MIG aircraft entered the United States zone of Germany at approximately 10:00 a. m. Greenwich Mean Time, flying in a westerly direction near the German town of Arnstein north of the German town of Waldmuenchen.

The ensuing actions of these MIG intruders from Czechoslovakia all taking place within the air space of the United States zone of Germany, were entirely aggressive and hostile and directed both to avoiding identification and to the willful destruction of the patrolling F-84 aircraft and the killing of the pilots, Captain Smith and Lieutenant Brown. These actions were carried out by the pilots of the intruding MIG aircraft, as the Czechoslovak Government has in substance admitted by its refusal to provide the information requested in the United States Government's note of July 29, 1953, at the specific direction of ground controllers and in accordance with instructions from the responsible competent authorities of the Czechoslovak Government.

Having thus entered the United States zone of Germany, at approximately 10:02 a. m. Greenwich Mean Time, the MIG aircraft crossed the path of the patrolling F-84's over the German town of Kritzenast, while the F-84's for the purpose of avoiding collision were executing the counter-clockwise turn carrying them deeper into Germany. In the turn Captain Smith became separated from Lieutenant Brown. Thereupon one of the intruding MIG aircraft proceeded to pursue Captain Smith over the air space of the United States zone of Germany while the other intrud-

ing MIG placed itself directly behind Lieutenant Brown's aircraft and assumed a hostile and aggressive position, both evading identification and making ready to fire at Lieutenant Brown. Lieutenant Brown, noticing the MIG behind him in an aggressive attitude, proceeded to take evasive and defensive action, seeking to fly farther and farther away from the pursuing MIG and in ever-tightening counter-clockwise circles. But his attempts at disengagement failed, for the speedier pursuing MIG aircraft followed Lieutenant Brown in his 360 degree orbiting pattern, refusing to relent or disengage. Several additional MIG aircraft then appeared in the orbit area, aircraft coming from Czechoslovakia and responding to Czechoslovak controlling authorities. The new intruders joined the two original pursuing aircraft in a concerted, deliberate and hostile action in order to effect the destruction of Lieutenant Brown's aircraft and his death.

Acting upon the specific instructions of the responsible Czechoslovak Government authorities to whom they were responsible, the pilots of the pursuing MIG aircraft opened fire upon Lieutenant Brown's aircraft and continued firing in the unrelenting pursuit. The United States Government has found, and charges, that the first burst of fire was directed against Lieutenant Brown and his aircraft, while Lieutenant Brown was engaged in an evasive counter-clockwise orbit, at approximately 10:05 a. m. Greenwich Mean Time in the air space near the German town of Pemfling, at a point more than ten miles from the closest point of the Czechoslovak border.

Not succeeding in destroying Lieutenant Brown and his aircraft, the pursuing MIG aircraft continued shooting, following Lieutenant Brown in his counter-clockwise orbit, and then succeeded in disabling the aircraft by further firing at it in the air space above the German town of Friedersried, which is almost fifteen miles from the nearest point of the Czechoslovak border. His aircraft thus disabled, Lieutenant Brown lost control of it and it dived sharply, heading south. The MIG aircraft from Czechoslovakia nevertheless continued pursuing him. When Lieutenant Brown succeeded in regaining control of his aircraft, and restoring it to level flight, he abandoned orbiting and attempted to fly a heading of 220 degrees directed further into Germany. But the pursuing MIG aircraft reopened fire in the air space over the German town of Thiermietnach, more than eighteen miles from the nearest point of the Czechoslovak border. This time Lieutenant Brown's aircraft, mortally hit, went completely out of control and Lieutenant Brown was compelled to jettison the canopy of his aircraft and parachute out. Nevertheless, although the F-84 was thus abandoned in mid-air and Lieutenant Brown was parachuting out, the pursuing MIG aircraft continued firing, the last firing taking place in the air space between the German towns of Hofstetten and Sasselberg, twenty and one-half miles from the nearest point of the Czechoslovak border.

It was only at 10:08 a. m. Greenwich Mean Time that the MIG aircraft, pursuing and shooting as above described, disengaged themselves and ascended to higher altitude to leave the area.

The United States Government has found, and charges, that the MIG aircraft from Czechoslovakia therefore deliberately and willfully overflew the air space of the United States occupied zone of Germany from Arnstein, near the border of Czechoslovakia, at 10:00 a. m. Greenwich Mean Time, to Kritzenast where they crossed the path of the patrolling F-84 aircraft, and flying to their left deeper into Germany to the air space north of the German town of Hiltersried, continued west and flew over Voltsried at approximately 10:03 a. m. Greenwich Mean Time, then turned southward and passed the German town of Hillstett at approximately 10:04 a. m. Greenwich Mean Time. Then, still pursuing Lieutenant Brown in his evasive attempts to orbit, they continued around to the air space of Alletsried, to Stamsried, and as far east as Lowendorf, then northwest to Rötzt and then southward to Friedersried. At this point, his aircraft disabled, Lieutenant Brown took a turn of 220 degrees and attempted a straight flight to save himself and proceed to base.

Lieutenant Brown, parachuting out, landed south southwest of the German town of Falkenstein and his aircraft, destroyed, crashed into the ground west northwest of Falkenstein at a settlement known as Hundessen. The MIG aircraft involved in the incident turned north and passed to the east over the German town of Michelsneukirchen.

Captain Smith, pursued by the other MIG aircraft, was kept separated from Lieutenant Brown, but succeeded in evading the shooting and, when the MIG aircraft disengaged at 10:08 a. m. Greenwich Mean Time, was enabled to proceed to his base in Germany.

Lieutenant Brown landed in a state of shock and received personal injuries, both of which required medical attention and hospitalization thereafter. His F-84 aircraft, completely destroyed, caused damage to the ground at and near the point of impact.

3. The United States Government has found as a result of its investigation, and it charges, as indicated above and as is made clear by the Czechoslovak Government's notes of March 28, 1953 and February 25, 1954, that all the acts of the pilots of the MIG aircraft involved in the unauthorized overflight into the United States zone of Germany, as described above, both those observed by Captain Smith and Lieutenant Brown and those which joined in the onslaught upon Lieutenant Brown, were at the specific direction, and at all times under the direct control, of the responsible authorities of the Czechoslovak Government, being vectored and directed by ground radio and ground radar operators who in so doing were carrying out the instructions and acting under the authority of the Czechoslovak Government. These directions were in deliberate and calculated disregard of the air traffic control regulations and of the authority of the United States Government in German territory.

4. The United States Government charges further that these acts and directions were without provocation or justification whatever; that they were maliciously intended with knowledge that they were wrongful under applicable international law and morals; and that they were in deliberate and calculated disregard of and for the purpose of flaunting the air traffic control regulations of the United States authorities along the Czechoslovak-German border and within Germany, and the sovereignty of the United States Government, and of the German Government, and that they were carried out in an effort to exert terror, threats and illegal force over the area of Germany near the Czechoslovak border, and thereby to make it possible to overfly the United States zone of Germany and other areas unlawfully, at will, for such purposes as espionage, aggrandizement and propaganda demonstrations of strength. The United States Government charges further that the Czechoslovak Government in its notes of March 11, 1953 and of March 28, 1953, in pursuance of the same unlawful and wrongful plan, made assertions of fact with respect to the incident which it knew to be demonstrably preposterous and flagrantly untruthful, as will appear more fully below.

II.

The United States Government has given the Czechoslovak Government full opportunity to prove the allegations with respect to the incident which are contained in the Czechoslovak Government's versions in its notes of March 11, 1953, and of March 28, 1953 but the Czechoslovak Government has failed to respond.

The United States Government is therefore compelled to state categorically that the following statements of fact, among others, in the Czechoslovak Government's notes are contrary to the truth, and were known at all times by the Czechoslovak Government to be contrary to the truth, and that they were nevertheless asserted for the motives and purposes set forth herein above.

A. With respect to the note of March 28, 1953:

1. The statement that two United States jet aircraft of the F-84 type entered the Czechoslovak territory on March 10, 1953.

The only border crossing made by aircraft was made, as the Czechoslovak Government has at all times well known, with respect to the incident of March 10, 1953 to which this note relates, by MIG-type aircraft crossing into Germany from the east, specifically from Czechoslovakia. These MIG-type aircraft crossed the Czechoslovak-German frontier at 10:00 a. m. Greenwich Mean Time near the town of Arnstein, as above indicated.

2. The statement that these F-84 aircraft met with Czechoslovak fighters on patrol at a distance of 18 kilometers south-southeast of Pilsen and 40 kilometers from a state frontier. It is assumed that the Czechoslovak Government apparently intended to state that the 18 kilometers distance was south-southwest of Pilsen.

The facts, however, are, as investigation referred to above has overwhelmingly disclosed, that the two F-84 aircraft in question met at 10:02 a. m. Greenwich Mean Time the two MIG aircraft from Czechoslovakia. The meeting took place in the area of the town of Kritzenast, which was approximately four and one-half miles inside the United States zone of Germany, and the Czechoslovak aircraft penetrated and remained in the United States zone of Germany, performing the acts and under the circumstances related above.

The United States Government attaches hereto a graphic presentation¹ of its findings with respect to the routes flown by the MIG aircraft and the F-84 aircraft, showing the area of orbit and the points at which the MIG aircraft from Czechoslovakia directed fire against, and hit, Lieutenant Brown's F-84 aircraft. It must be inferred that the Czechoslovak Government's version of the situs of the incident is in complete variance from the facts.

In this regard the United States Government notes that in the reply of February 25, 1954 to the United States Government's note of July 29, 1953 the Czechoslovak Government has refused to give the nationalities of all the pilots of the MIG aircraft involved in the incident or the nationalities of all the MIG aircraft so involved or of the ground controllers and directors of their actions. The United States Government, therefore, takes this opportunity to state that while for the purposes of the present international claim against the Czechoslovak Government it takes note of the Czechoslovak Government's description of the intruding aircraft as Czechoslovak fighters, the identification by the Czechoslovak Government of the intruding aircraft as Czechoslovak aircraft does not relieve or absolve any other Government or authority to whom the original two aircraft, or the additional intruding aircraft involved in the same incident, belonged, and under whose control they were dispatched and directed, from separate liability to the United States Government for the damage inflicted.

3. The statement that the United States aircraft were called upon to land.

This statement is false, for no such communication was made to either of the two F-84 aircraft involved. Moreover, the statement is irrelevant since the MIG aircraft from Czechoslovakia flew over German territory when they encountered the F-84 patrol aircraft and had no legal authority to call upon the American aircraft to land at any place or at any time.

Furthermore, the United States Government notes that the Czechoslovak Government, in its reply of February 25, 1954 to the note of July 29, 1953, has refused to specify, although duly requested, the signals or the contents of the alleged communication from the Czechoslovak aircraft to the American aircraft, or the method by which the alleged communication was made, or the content of each alleged message. The United States Government has found, and charges, that in truth the pilots of the MIG aircraft involved, knowing that they were overflying the United States zone of Germany, and being so instructed to do, made no attempt whatever to signal the F-84 aircraft but, on the contrary, assumed immediately upon

convergence an unmistakably hostile aggressive attitude. The lead MIG aircraft flew in front of the lead F-84 aircraft from east to west, and the wing MIG aircraft assumed a shooting position behind the wing American aircraft. Even had the Czechoslovak authorities having control of the MIG aircraft, or the pilots of the MIG aircraft themselves, assumed, however erroneously, that the American aircraft were overflying Czechoslovak territory, the appropriate signals to land would require the Czechoslovak intercepting aircraft to point to and fly towards an appropriate Czechoslovak air base on Czechoslovak territory, and to take other warning measures prior to engaging in any firing of any kind.

4. The statement that the United States aircraft did not comply with the challenge of the Czechoslovak aircraft.

This statement is in view of the foregoing not only false but irrelevant, the F-84 patrolling aircraft being under no obligation to comply with any challenge or direction from Czechoslovak aircraft in the circumstances of this case.

5. The statement that "in the engagement which ensued one of the United States planes took flight to the west, the second plane was hit, caught fire and falling constantly disappeared to the south-west".

This statement is misleading where it is not completely false. The statement is misleading in implying that one or both of the two American aircraft engaged in firing. The fact is, as the Czechoslovak Government has at all times well known, that neither American aircraft involved opened fire at any time, and the so-called "engagement" was a vicious onslaught without warning upon peaceful patrolling American aircraft seeking to disengage themselves, although in self-defense they were entitled to use force to repel the hostile conduct of the MIG aircraft from Czechoslovakia.

The statement is further misleading and false in suggesting, in order to rebut the widely-known fact that Lieutenant Brown and his F-84 aircraft came down deep in the United States zone of Germany, that the aircraft was hit in Czechoslovakia and somehow managed to fly back to the United States zone of Germany without being noticed or followed by observers from Czechoslovakia. For the fact is, as the Czechoslovak Government has at all times well known, that the pursuing MIG aircraft not only intercepted and attacked the F-84 aircraft entirely within the United States zone of Germany, but the MIG aircraft did not desist pursuit and firing until after the attacking MIG pilot, and other intruding MIG pilots associated with him, had seen and had no doubt reported by voice radio to ground controllers within Czechoslovakia, that the F-84 aircraft had been destroyed and its pilot forced to parachute to safety over the United States zone of Germany.

B. With respect to the Czechoslovak Government's note of March 28, 1953:

The Czechoslovak Government's reiteration of the statements in the note of March 11, 1953 is accompanied by the statement that the facts asserted in the March 11 note are based on the logbook records of the ground radio operators, the goniometer records and the radar reports, as well as on the statements of the Czechoslovak pilots involved.

The United States Government in its note of July 29, 1953 requested the Czechoslovak Government to produce this corroborative evidence allegedly in the Czechoslovak Government's possession and described as the basis for its assertions, but the Czechoslovak Government has failed and refused to produce this evidence. The United States Government must therefore assert that such evidence does not exist and has never existed and the Czechoslovak Government's statements with respect thereto are wholly false.

III.

The United States Government is compelled to conclude, and it charges, that the foregoing actions of the Czechoslovak Government, and for which it is responsible, were

(Continued on p. 308)

¹ Not printed.

RESIGNATION OF WALTER BEDELL SMITH AS UNDER SECRETARY OF STATE

On August 17 the White House announced that Walter Bedell Smith, Under Secretary of State, had submitted his resignation to President Eisenhower, with the request that it become effective about October 1. The President, after accepting General Smith's resignation "with the greatest reluctance and sincere regret," nominated Herbert Hoover, Jr., as his successor. The Senate on August 18 confirmed the nomination. Mr. Hoover will continue in his present position as consultant to Secretary Dulles until the effective date of General Smith's resignation.

Following are texts of letters exchanged by the President and General Smith, a statement by Secretary Dulles, and a letter from General Smith to Secretary Dulles.

CORRESPONDENCE WITH THE WHITE HOUSE

White House press release dated August 17

The President to Under Secretary Smith

DEAR BEEDLE: It is with the greatest reluctance and sincere regret that I bow to your wishes and accept your resignation as Under Secretary of State, effective October 1. I cannot, out of concern for the best interests of the United States, consider your suggestion that I fix an earlier date.

So long as I live, I shall never be able to think of our association together except with feelings of deep personal and official obligation. Your friendship and your advice, in peace and in war, have been a mainstay to me in trying and difficult times.


You may be sure that I shall take full advantage of your offer to do temporary work for the government from time to time. You have always given so completely of your self to your country that I know you will answer every call promptly and cheerfully and with your never-failing devotion and abilities.

Mrs. Eisenhower and I extend to you and Norrie our best wishes for a well-deserved furlough from government duty—but at the same time I warn you to remember that in

the Army a furlough has meant only a respite from active duty.

With warm regard,

As ever,



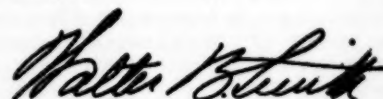
Under Secretary Smith to the President

DEAR MR. PRESIDENT: For purely personal reasons, which I explained to you several months ago, I feel that the time has come for me to terminate my active government service in order to enter private industry. Will you, therefore, please accept my resignation as Under Secretary of State, effective October 1st or at an earlier date if this should be convenient to you.

More than anyone else, you will understand how I regret leaving this service after so many years. They have been very satisfying years, and these last two under you and Foster Dulles have in many ways been the best of all.

The terms of my future employment make it possible for me to do temporary work for the government from time to time, and if I can continue to be useful to you in this way it will make me very happy.

Faithfully,





STATEMENT BY SECRETARY DULLES

Press release 455 dated August 17

It is a matter of deepest regret to me that the Under Secretary of State, Gen. Walter Bedell Smith, has felt that he can no longer defer retiring to private life. When General Smith became Under Secretary of State he had asked that he should be free to resign after a year. At the urgent request of the President and myself, he extended his period of service, which made possible his able and distinguished services as Head of the U.S. Delegation at the Geneva Conference.

General Smith has brought to his office a rare accumulation of distinguished services in many capacities in many lands. These exceptional abilities and experiences were put with extraordinary effectiveness at the service of the Department of State. He sacrificed much in so continuing to serve his country. It is a great understatement for me to say that our personal relationship has been for me a source of especial satisfaction. Happily, General Smith will continue to be available to serve from time to time, and for this,

the Nation, which already owes General Smith so much, can be grateful.

If, as General Smith had decided must be the case, a successor had to be found, I feel happy that that successor will be Herbert Hoover, Jr. He has acted as my adviser during recent months and has with notable distinction dealt with the Iranian oil dispute. Largely due to his guiding influence, this matter which has for many years troubled the entire Middle East has been brought to a successful conclusion. I look forward to having with Mr. Hoover the same type of close personal association and availability of sound counsel which I have for the past 19 months enjoyed with General Smith.

UNDER SECRETARY SMITH TO THE SECRETARY

DEAR FOSTER: It is with very great reluctance that I ask you to transmit the attached letter of resignation to the President. I know you are quite right in saying that I will not be as happy elsewhere as I am here, and certainly business of any kind will be an anticlimax. However, I am more over-extended physically and financially than I had realized, and I cannot afford to give up the employment contract which I have been offered—particularly as it keeps me in Washington for the greater part of the time and allows me to give occasional service to the government on special missions, boards, etc.

I have been very fortunate in my relationships with the chiefs under whom I have served but I want you to know that I personally feel that I have never been more so than during the last two years with you. You have been more than considerate, and I have felt that I had your complete support and confidence. I also want you to know, as a simple statement of fact, that my admiration for your great qualities of mind and character has continued to grow during these two years. I sincerely regret the termination of our official relationship. The personal relationship, which I value even more, remains a source of gratification to me.

Faithfully,

(Continued from p. 305)

deliberately and unlawfully committed with the ulterior malicious intent to cause grievous injury to the United States Government and to the American people, as well as to Lieutenant Warren G. Brown and Captain Donald C. Smith, and to execute a purpose of unlawful aggrandizement within the air space over the United States zone of Germany by terror and other unlawful and wrongful methods.

The United States Government further asserts the following:

1. Captain Donald C. Smith, element leader of the F-84 patrolling fighter aircraft as above described, was a competent and efficient pilot, qualified to act as element leader in border patrol activity within Germany in which he engaged as above described, and was then and at all times involved in this matter an American national.

2. Lieutenant Warren G. Brown, wing pilot of the F-84 patrolling fighter aircraft as above described, was a competent and efficient pilot, qualified to act as wing pilot in border patrol activity within Germany in which he engaged as above described, and was then and at all times involved in this matter an American national.

3. The ground controllers involved in the vectoring and control, and in the radar observation, of and voice radio communication with Captain Smith and Lieutenant Brown, were members of the United States Air Force, fully competent and qualified to perform the duties assigned to them and these duties were performed by them with efficiency and accuracy.

4. The radar equipment used by the radar personnel and ground controllers in the observation of the aircraft referred to as coming from Czechoslovakia in overflying the United States zone of Germany and in following and controlling American patrolling aircraft as above described were all adequate in their coverage and accurate in all respects and in good working condition.

5. The patrolling F-84 aircraft piloted by Captain Smith and Lieutenant Brown were at the time of the incident above mentioned F-84E-type, owned and controlled by the United States Government without any defect affecting their flying efficiency or normal operation and in good working order for the purpose of patrol within the United States zone of Germany.

IV.

The United States Government charges that the Czechoslovak Government has by committing the foregoing actions in the circumstances set forth above violated international law. Specifically, and without limiting itself by enumeration, the United States Government charges that in the circumstances set forth above the Czechoslovak Government is guilty of the willful and intentional violation of its international obligations and of the willful and intentional commission of internationally unlawful actions as follows:

1. On March 10, 1953, as at all other times, it was unlawful for military aircraft of Czechoslovakia, and for the aircraft involved in the present incident, to fly into the air space of the United States zone of Germany unless the Czechoslovak Government had obtained prior authorization for such overflight from the United States Government. Furthermore, it was the duty of the Czechoslovak Government to identify to the air traffic control authorities within the United States zone of Germany all aircraft from within Czechoslovakia which intended to overfly the United States zone of Germany in any respect and for any distance and to file flight plans in accordance with applicable air traffic control regulations. The failure of the Czechoslovak Government to comply with the applicable regulations to which reference has been made, and the unauthorized overflight by the military aircraft involved, constitute violations of international obligations, specifically recognized in Articles 1 and 3, Chapter 1, Part 1 of the Convention on International Civil Aviation, adopted December 7, 1944 at Chicago, Illinois, adhered to

by numerous governments including the United States Government and the Czechoslovak Government.

2. Having unlawfully entered the United States zone of Germany, and having been intercepted within the air space of the United States zone of Germany by the policing aircraft, it was the duty of the pilots of the MIG aircraft from Czechoslovakia to submit peacefully to identification by the policing aircraft and to obey orders which the pilots of the policing aircraft might convey. It was further the duty of the Czechoslovak authorities controlling the actions of the pilots of the intruding MIG aircraft to instruct these pilots to permit identification and obey such orders. The failure of the pilots of the MIG aircraft from Czechoslovakia and of the Czechoslovak ground authorities controlling their actions to perform these duties constitute violations of international obligations; and their attempts to take aggressive action seeking to destroy the patrolling United States aircraft and to kill the United States pilots involved constitute heinous violations of international law.

3. Even if, as is not the fact, the ground authorities in Czechoslovakia or the pilots of the MIG aircraft from Czechoslovakia had erroneously believed that they had intercepted the United States F-84 aircraft within Czechoslovakia, it was the duty of the intercepting aircraft and the duty of the ground controllers to make intelligible signals to the overflying American aircraft, such as by flying across the path of the American aircraft in an easterly direction toward a suitable airfield and directing the aircraft to land at that airfield, or to take similar action, to acquaint the overflying aircraft with the fact that they were overflying Czechoslovak territory without prior authorization and should turn and proceed back to the United States zone of Germany. The failure to do so in this case therefore constitutes an aggravation of the liability of the Czechoslovak Government as well as further evidence that neither the Czechoslovak ground authorities nor the MIG pilots in the air were under any illusion as to the sovereignty of the air space in which the interception, the pursuit, the firing and the destruction of the American aircraft were then effected, nor as to the situs of any stage of this unlawful conduct.

4. Having become fully aware of the true facts of the incident prior to its notes of March 11 and of March 28, 1953 and its note of February 25, 1954, even assuming which is not the fact that the responsible Czechoslovak Government authorities were not already fully aware of the true facts, the Czechoslovak Government violated its international legal obligations in knowingly stating to the United States Government and to the international public a false version of the true facts and emitting false propaganda concerning them.

The United States Government believes that it has on account of the violations by the Czechoslovak Government of the foregoing legal duties, and hereby asserts and prefers, against the Czechoslovak Government a valid international claim for damages as specified below.

V.

In consequence of the foregoing illegal acts and violations of duty for all of which the Czechoslovak Government is responsible, the United States Government has suffered the following items of damages and the United States Government demands that the Czechoslovak Government pay to it on account thereof the following sums:

1. The value of the United States Air Force airplane F-84E-type Number 49-2192A and its equipment, piloted by Lieutenant Warren G. Brown in the circumstances and in the times above described, \$235,349.41.

2. Damages to Lieutenant Warren G. Brown, an American national, in consequence of the unlawful actions of the Czechoslovak Government above described, \$10,000.

3. Damages to Captain Donald C. Smith, an American national, in consequence of the unlawful actions of the Czechoslovak Government above described, \$1,000.

4. Damages to the United States Government for the

willful and unlawful conduct of the Czechoslovak Government, \$25,034.75.

Total, \$271,384.16.

VI.

The Government of the United States calls upon the Government of Czechoslovakia promptly to make its detailed answer to the allegations and the demands made in this communication. Should the Czechoslovak Government in its answer acknowledge its indebtedness to the United States Government on account of the foregoing and agree to pay the damages suffered, the United States Government is prepared, if requested, to present further proof in support of its calculations of damage suffered and alleged.

In the event that the Czechoslovak Government contests its liability, it is requested so to state in its answer. In the latter event, the Czechoslovak Government is hereby notified that the United States Government considers that an international dispute exists between the United States Government and the Czechoslovak Government and proposes that the dispute be presented for hearing and decision in the International Court of Justice. Since it appears that the Czechoslovak Government has thus far not filed with that Court any declaration of acceptance of the compulsory jurisdiction of that Court, the United States Government invites the Czechoslovak Government to file an appropriate declaration with that Court or to enter into a Special Agreement by which the Court may, in accordance with its Statute and Rules, proceed to a determination of the issues of fact and law which have been set forth herein; and the Czechoslovak Government is requested to inform the United States Government in the reply to the present note of its intentions with respect to such a declaration or Special Agreement.

Accept, Excellency, the renewed assurances of my high consideration.

Czechoslovak Acceptance of Flood Aid Offer

Following is the text of a note dated August 16 sent to the American Embassy at Prague by the Czechoslovak Minister of Foreign Affairs.

The Ministry of Foreign Affairs presents its compliments to the Embassy of the United States and has the honor to acknowledge receipt of its note No. 61 of July 30, 1954, concerning the declaration of the President of the United States of America of July 29, 1954.¹

The Government of the Czechoslovak Republic appreciates the concern expressed by the American people [regarding] the recent floods in Czechoslovakia and the offer of assistance to the population of the affected areas and is willing to enter into the necessary discussions concerning the method of its implementation.

Procedures for Exports to Austria

Effective September 20, 1954, Austria will be included among the countries participating in the Import Certificate-Delivery Verification (IC/DV)

procedure, the Bureau of Foreign Commerce, U.S. Department of Commerce, announced on August 6.

The purpose of the IC/DV procedure, in operation since October 1952, is to assist in preventing the transshipment of strategic goods. The procedure applies to goods identified by the letter "A" on the Positive List of Commodities.

After the cooperative IC/DV procedure goes into effect with Austria, U.S. exporters will be required to submit import certificates to the Bureau of Foreign Commerce with their applications for licenses to export strategic goods to Austria. The import certificate, issued by the Austrian Government, is to be obtained by the U.S. exporter from the Austrian importer.

U.S. license applicants will continue to be required to show on their application form the import identification number appearing on the Austrian Government's import authorization.

As a part of the IC/DV procedure, the Bureau of Foreign Commerce may request U.S. exporters to obtain from their Austrian importers verification, certified by the Austrian Government, that the licensed goods have been delivered in Austria.

Austria will be the thirteenth country with which the United States cooperates in carrying out the IC/DV procedure. The other countries are Canada, Belgium, Denmark, France, Italy, Luxembourg, the Netherlands, Norway, Portugal, the United Kingdom, Western Germany, and Japan.

U.S. Accepts Austrian Proposal for Five-Power Committee

Following is the text of an announcement released to the press by the American Embassy in Vienna on August 7.

In a note dated August 7, the American Embassy in Vienna delivered the reply of the United States Government to the Austrian note of July 22 proposing the establishment of a five-power committee in Vienna to consider possible alleviations of the present Austrian situation.¹ The committee would consist of the Ambassadors of the the Four Occupying Powers in Vienna and a representative of the Austrian Government.

The American reply points out that the United States Government has had and continues to have as its constant aim the restoration of full independence and sovereignty to Austria. With a view, however, to reducing the burdens resting on the Austrian Government and people prior to their achievement of full independence, the United States Government accepts the Austrian proposal. At the same time the United States note states that the establishment of such a committee in Vienna

¹ BULLETIN of Aug. 9, 1954, p. 197.

¹ Notes not printed.

would not affect the validity of existing Four-Power agreements relating to Austria and that, while the United States Government continues to seek the conclusion of a state treaty, negotiation of such a treaty would not properly be within the competence of this committee. The United States note suggests a preliminary meeting of the committee be held soon to work out its terms of reference and procedures and to consider possible measures for reducing the burdens and limitations of the occupation in Austria.

Notice of Hearings on Review of General Trade Agreement

Press release 467 dated August 21

The Department of State gives notice that public hearings will be held in Washington, D. C., from September 13 through September 17, 1954, concerning possible changes in the general provisions of the General Agreement on Tariffs and Trade. The hearings will be conducted under the direction of the Chairman of the U.S. delegation for the review and renegotiation of the General Agreement which will take place in Geneva beginning November 8, 1954. Briefs from any interested person will be received by the Chairman. These hearings will relate to the general provisions of the General Agreement and not to individual commodities or tariff rates.

The review of the General Agreement on Tariffs and Trade has been directed by the President in accordance with his Message to Congress on March 30, 1954,¹ in which he stated that the United States will "suggest to other Contracting Parties revisions of the substantive provisions of the Agreement to provide a simpler, stronger instrument contributing more effectively to the development of a workable system of world trade."

Persons may offer views and suggestions as to the handling of any problems now covered by the agreement or any related problem not presently covered. Major matters which it is already known are likely to be discussed at the review in Geneva are listed below. The review at Geneva of these and whatever other subjects may be raised will include an examination of whether the provisions of the present agreement on these topics have worked satisfactorily and may include proposals for modification of any of these articles or for the addition of new articles on these subjects to the agreement.

1. Organizational provisions of GATT.
2. Special treatment for underdeveloped countries.
3. Agricultural quotas and export subsidies (covered in present agreement primarily by GATT articles XI and XVI).

¹ BULLETIN of Apr. 19, 1954, p. 602.

4. Import restrictions for balance-of-payments reasons (covered in present agreement primarily by GATT articles XII through XV).

5. Provisions relating to duration of tariff concessions (article XXVIII).

All applications for oral presentation of views concerning the forthcoming review shall be submitted to the Chairman of the U.S. delegation not later than September 3, 1954. All information and views in writing shall be submitted to him not later than September 13, 1954. Applications for oral presentation should indicate the subject or subjects on which the individual or group desires to be heard.

Such communications should be addressed to:

The Chairman, United States Delegation to the Ninth Session of the GATT, United States Department of State, Washington 25, D. C.

Five copies of written statements, either typed, printed, or duplicated, shall be submitted.

Public hearings will be held at which oral statements will be heard. The first hearing will be at 10 a. m. on September 13, 1954, in the Department of State International Conference Suite, 11th floor, 1778 Pennsylvania Ave., NW., Washington, D. C.

Witnesses who make application to be heard will be advised regarding the time and place of their individual appearances. Appearances at hearings may be made only by or on behalf of those persons who have, within the time prescribed, made written application for oral presentation of views.

Copies of the General Agreement on Tariffs and Trade and related protocols and schedules may be inspected at the field offices of the Department of Commerce or be purchased from the Columbia University Press, International Documents Service, 2960 Broadway, New York, N. Y.

Netherlands Makes Prepayment on World Bank Loan

The International Bank for Reconstruction and Development announced on August 11 that the Government of the Netherlands has prepaid \$52,215,000 and 12,498,000 Belgian francs on a 25-year loan it received from the bank on August 7, 1947. The prepayment will cover the longest maturities on the loan, those falling due in the years 1970, 1971, and 1972. Originally the loan amounted to \$195,000,000 of which \$190,362,000 was outstanding at the time of the prepayment. It will be reduced to \$137,861,000 as a result of the transaction announced today.

On announcing the prepayment, Eugene R. Black, president of the International Bank, said that "in view of this large prepayment and of the recent substantial increase in sales to investors

from the bank's loan portfolio, without its guarantee, the bank has changed its plans about financing this autumn and does not now expect to sell any new issue in the United States during the remainder of 1954."

Over the years the bank sold various maturities of the Netherlands loan, aggregating the equivalent of \$13,335,788, to investors both in the United States and abroad. The equivalent of \$4,633,000 of these obligations was repaid previously by the Netherlands and \$8,703,000 is still outstanding and in the hands of investors. These investors were given the option to have their holdings prepaid by the Netherlands. None of them, however, elected to accept the offer of prepayment.

In addition to the \$195,000,000 loan to the Government, the bank has lent \$34,000,000 to other borrowers in the Netherlands for the purchase of ships, aircraft, and industrial machinery. The record of these loans shows that all payments of interest and principal have been made on or before the due dates by the Government and other borrowers. Of the total of \$229,000,000 lent in the Netherlands, the equivalent of \$72,664,000 has been repaid, and \$7,548,000 has been canceled at the

request of a borrower. The total amount now outstanding on loans in the Netherlands is \$148,788,000.

In commenting on the prepayment, Mr. Black stated:

The \$195,000,000 loan to the Netherlands was made at a critical point in the Netherlands reconstruction effort. After undergoing particularly severe wartime devastation, and having suffered the loss of much of her overseas territories and assets, the Netherlands was obliged to seek large amounts of external assistance to rehabilitate and develop her agriculture, industry, and merchant marine. The bank's loan enabled the Netherlands to purchase abroad ships, machinery, and materials vital to the restoration of her productive capacity and her export potential.

The Netherlands' recovery since the time of the loan has been impressive. Industrial production has risen by almost 80 percent from 1947 to the first 5 months of 1954. Exports have increased almost fivefold. Gold and foreign exchange holdings of the Netherlands Bank rose from the equivalent of about \$350,000,000 at the end of 1947 to about \$1,220,000,000 on June 30, 1954. The Netherlands is now resuming its prewar role as a capital exporting country. The decision to repay in advance of maturity a large part of its indebtedness to the International Bank, and the recent successful flotations of a fl. 40,000,000 issue by the bank and of a fl. 100,000,000 issue by Belgium on the Netherlands capital market are important evidence of this regained position.

Reducing the Menace of Oil Pollution

INTERNATIONAL CONFERENCE ON POLLUTION OF THE SEAS AND COASTS BY OIL, LONDON, APRIL 26-MAY 12, 1954

by Rear Admiral H. C. Shephard, U. S. Coast Guard, and John W. Mann¹

The pollution of the seas and coasts by oil has been a grave problem in many countries for a number of years. As the use of petroleum products increases, the threat to the recreational facilities and wild fowl of the coastal regions of the countries through pollution by oil becomes more serious. The United States, in widening its use of petroleum products early in the present century, was perhaps the first country to feel the full impact of oil pollution. Legislation prohibiting the release of oil into our territorial waters was enacted in 1924. However, oily wastes discharged by ships at considerable distances at sea may drift ashore and foul beaches and harbors. The power to control the behavior of a ship and its personnel

on the high seas lies with the nation whose flag it flies. The problem thus cannot be solved satisfactorily without the cooperation of maritime countries.

An international conference was convened at Washington in 1926 to study the subject and to draft a convention designed to abate this nuisance. The representatives of the United States believed at that time that the logical solution of the problem would be a convention signed by the maritime powers of the world providing that ultimately the discharge of oil at sea at any time or place must be prohibited. This position did not receive the support of a majority of the other nations represented at the Washington Conference.

As a result of the failure of the 1926 conference to provide the solution believed by the United States to be the best approach at that time, an

¹For an article by Mr. Mann on "The Problem of Sea Water Pollution," see BULLETIN of Dec. 7, 1953, p. 775.

educational program was established on a national basis. This method has brought about substantial abatement of oil pollution within the territorial waters of the United States, even though the use of petroleum products in this country has increased threefold since 1926. The strict enforcement of the Oil Pollution Act of 1924 within the jurisdictional waters of the United States also encouraged good housekeeping practices.

During the last few years the United Kingdom and other northern European countries have greatly increased their importation of crude petroleum. This increase—300 percent in 3 years—has been accompanied by a rise in oil pollution of the coastal regions of those countries. The United Nations took up the matter of oil pollution, and concurrently the United Kingdom set up a working group under the chairmanship of Percy Faulkner, an Under Secretary of the Ministry of Transport and Civil Aviation, to study the problem and to suggest its solution. The report of this working group, published in 1953 and informally called the "Faulkner Report," contained recommendations which were believed, from the British point of view, to be an adequate answer. In common with the studies which preceded the Washington Conference, and with the conclusions reached in the late 1930's by the League of Nations, the recommendations of the Faulkner Report pointed to the need for the cooperation of substantially all maritime countries.

The United Kingdom early in 1954 invited the maritime powers to a conference in London to discuss the oil pollution problem and to endeavor to provide a generally acceptable solution. The United Nations had previously agreed to hold in abeyance its consideration of the matter pending the outcome of the London Conference.

The United Kingdom did not submit a draft convention to the nations invited to the Conference, the intention being that the Faulkner Report would sufficiently inform those invited as to the matters which would be advanced for consideration. Since the invitation to attend the Conference, to be convened on April 26, 1954, was not received by the United States until January 4, 1954, and since it is difficult to arrive at firm decisions concerning the proposals of others without the guidance of a specific draft, it was believed that sufficient time was not available for the United States to establish a position.

However, a Technical Working Group composed of representatives of interested U.S. Government departments and of the shipping industry was established in Washington in February 1954 to make such examination of the technical aspects of the problem as time permitted in order to develop recommendations to the Department of State which could serve as the basis for instructions to the United States delegation to the Conference. The Technical Working Group, after studying the Faulkner Report and drawing upon the ex-

perience of the various participating agencies, concluded that several of the recommendations, such as the mandatory requirement for installation under certain circumstances of mechanical oily-water separators on dry-cargo ships, the absolute prohibition of the discharge of oily wastes and ballast at any place at any time on the high seas, and the establishment of greatly increased number and capacity of port facilities for reception of oily wastes and ballast which presumably would be necessitated by such total prohibition, were not realistic.

Review of U.S. Experience

A detailed review of the oil pollution situation with supporting statistics, prepared for the information of the Technical Working Group, showed that the increase in the use and transportation of petroleum products in the United States had been accompanied by an actual decrease in the degree of oil pollution and pointed out that during this period of approximately 30 years educational standards had been established and good housekeeping practices had been enforced.

Since the United States, the major user of petroleum products, had studied the problem and developed methods for its correction over a period of years, the Technical Working Group felt that the measures employed in this country should be explained to the Conference in London as pointing to a practicable solution without those features contained in the Faulkner Report with which the Group could not agree.

The Department of State's instructions to the United States delegation relating to antipollution measures followed the recommendations of the Technical Working Group. The United States delegation, composed of six members, was able to maintain this position throughout the Conference and during its course gained the support of other delegations, some of whose countries had not been faced with the problem of oil pollution until recent years.

At the first plenary session of the Conference the Soviet delegation proposed that the so-called People's Republic of China be invited to send representatives. This proposal was set aside by the Conference at a subsequent plenary session at the instance of the U. S. delegation, which had presented a procedural motion to the effect that the Soviet proposal should not be considered because it did not come within the scope of the Conference.

It soon became apparent that, although there was no difference of opinion concerning the principal objective, there existed wide divergence of views concerning some of the recommendations of the Faulkner Report and the means by which a satisfactory solution to the problem might be achieved. One of the most controversial items related to the recommendation that the installation of separators on dry-cargo vessels under some

circumstances should be a mandatory requirement. It was the United States position that, although separators might serve some useful purposes under certain conditions, at the present stage of development none of the known oil separation devices could be unreservedly commended for use on dry-cargo vessels. The convention written at the Conference requires vessels to be so fitted as to prevent the escape of fuel oil or heavy diesel oil into bilges, the contents of which are discharged into the sea without being passed through an oily-water separator. The convention provides for the establishment of zones wherein the discharge of oil into the seas would be prohibited. This provision is far more consistent with the system long in force off the coasts of the United States, wherein a zone is recognized by a "gentlemen's agreement," than the absolute prohibition of discharge anywhere and everywhere as recommended in the Faulkner Report.

The Final Act of the Conference presented a number of resolutions relating to objectives concerning which there appears to be no serious disagreement.² They relate to such matters as encouraging the development of efficient oily-water separators, encouraging the provision of adequate reception facilities for oily wastes and ballast at repair ports and terminals where needed, preparation of manuals, creation of national committees, and provisions for international exchange of information.

Statement by U.S. Delegate

Shortly before the end of the Conference, the chairman of the U.S. delegation made a final statement as follows:

"The time appears to have arrived when the delegates may look upon the accomplishments of the Conference, and may I summarize the views of the United States Delegation.

"Early this year my Government received an invitation from Her Majesty's Government to attend this Conference. We considered, in view of the early date mentioned, whether we should take more time to conclude studies already under way or contemplated and to try to secure the views of representative interested groups, or whether to accept the invitation for the date specified and prepare ourselves as best we could in the interim. In my country distances, as you know, are great, and it is the custom of our industrial groups to meet in conventions for representative actions once a year. These national meetings in the case of our transport, shipping, and petroleum associations usually take place in October or November. In order that we may bring to bear full weight of Government and industry experience in matters

of national import, it is most desirable for effective action that our problems be discussed to a conclusion at these annual meetings when all sections of our country are fully represented. Time has not permitted processing this most important problem by our normal procedures, so that much more remains for us to do when we return home. After careful consideration of our situation my Government concluded that in view of the urgency expressed in the invitation of Her Majesty's Government we should accept promptly and contribute all that we could to assist the conference under the circumstances.

"We believe our decision to accept the invitation of Her Majesty's Government promptly was the correct decision, for in this conference of delegates representing many nations we have found another confirmation of the great value of personal association in matters of mutual concern. Here we have heard from the delegates firsthand the extent of pollution in their countries. Here we have heard of research and of experiments and of suggested ways and means for controlling and reducing pollution, and here, by picture and by eloquent appeal, we all have heard the story of the effects of oil pollution on beaches and birds.

"Mr. President, the delegates to this Conference may differ as to procedure but they are unanimous on a common objective: The pollution of the seas must be cleared up promptly.

"It is true that some of us have felt that we should rely entirely on a convention between the maritime powers to clear up this pollution of the seas, and there are others who have felt that we should start immediately and apply ourselves continuously to the problem through the United Nations, which would pool all technical information and keep Governments continually informed of areas in which pollution is critical so that appropriate and immediate steps may be taken for correction.

"It is the view of the United States delegation that this Conference on the Pollution of the Seas by Oil has been successful because it has reached conclusions which are representative of both schools of thought which have been so ably presented here by their respective advocates.

"The time approaches when the various Delegations will be taking leave of each other and returning to their respective countries. My Delegation will return to my Country dedicated to two tasks, the serious study and consideration of the convention which has been produced by this conference, and the re-doubling of our efforts, especially by research and educational procedures, looking to the successful control of pollution of the seas by oil. Through the United Nations, the United States will make available to all Governments the results of the work we have done on oil pollution control. We express to all Delegations here our deep and sincere thanks for the valuable information and experience which they have so generously

² The texts of the Final Act and of the draft convention have been published by the British Government (*Cmd.* 9197).

made available to us. Now, Mr. President, I am gratified to report to the Conference that the tender of cooperation made by the shipowners of the United States, which I read to the General Committee at an earlier date, was placed into effect on 30 April 1954 for all United States ships proceeding to the United Kingdom and Northern Europe [see Annex]. In support of the same objective the United States Navy Hydrographic Office and the United States Coast Guard have issued an official notice.

"Mr. President, we wish to express our thanks to Her Majesty's Government for their vision in calling this Conference, their efficiency in conducting it, and the many gracious acts and thoughtful considerations during its sessions."

This statement pointed out the serious study which the U. S. Government and industry have given to the problem of oil pollution and indicates that the study is of a continuing nature.

The Conference constituted an excellent opportunity to hear the views of the maritime nations concerned with this problem, including the means proposed by those nations to develop a satisfactory solution. Not only were the regular sessions and the subcommittee meetings informative, but useful ideas were also exchanged through discussions on a more informal basis.

Among the U.S. proposals that were adopted by the Conference and later confirmed was the establishment of international machinery for the collection, analysis, and dissemination of information and technical data about oil pollution and for keeping the problem under review through the appropriate organ of the United Nations. The United Kingdom accepted the obligation to perform the duties of Bureau Power or Central Secretariat until such time as the Intergovernmental Maritime Consultative Organization (IMCO) comes into effect.

No solution which was discussed appears at this time to be more realistic than the educational program and other measures adopted by the United States. However, the campaign to discourage oil pollution requires continuing effort, and even though the United States did not sign the convention written by the Conference, that document will receive serious study by government and industry. The fact that an international conference was held on this subject will give impetus to American ingenuity to develop and suggest an international program to reduce the menace of oil pollution prior to the next international meeting in prospect within the next 3 years. In view of the strong position taken by the United States in advocating cooperation, educational programs, study and research, and dissemination of information, it behooves all affected interests in the United States to support these methods and to take all appropriate measures to insure their success. Failure of the U.S. proposals no doubt would eventually

bring about unrealistic international regulations and enforcement measures or unilateral action by countries suffering from oil pollution to impose national requirements on all ships visiting their ports.

ANNEX

American Merchant Marine Institute, Inc.
11 Broadway—New York 4, N. Y.

SPECIAL BULLETIN

To: U.S. STEAMSHIP COMPANIES

PREVENTION OF OIL POLLUTION

The undersigned organizations call attention to the fact that oil pollution conditions on the shores of Great Britain and the adjacent coasts of Northern Europe are reported to be serious. An Intergovernmental Conference among some 40 maritime nations is now being held in London for the purpose of exploring ways and means of controlling such pollution.

Our organizations are entirely sympathetic to the problem that presently exists in this critical area and are extending our fullest cooperation to the authorities concerned. We strongly urge that all companies immediately emphasize to their shipmasters, and all shipboard personnel the acute necessity of observing all precautionary measures set forth in the Oil Pollution Manual, as supplemented by the many specific instructions heretofore issued by individual shipowners. In so doing, specific reference should be made to the conditions now prevailing in U.K. and adjacent areas and the need for special attention to all preventative measures.

Thereafter, we further recommend that all U.S. ships proceeding to the areas in question be reminded of the aforementioned instructions in each voyage order, cable or letter.

We will continue to keep you apprised of world-wide pollution conditions requiring special attention, and your continued cooperation is urgently solicited.

AMERICAN MERCHANT MARINE INSTITUTE, INC.

Association of American Shipowners
Pacific American Tankship Association
Pacific American Steamship Association
American Tramp Shipowners Association

• *Admiral Shepherd and Mr. Mann, coauthors of the above article, were chairman and vice chairman, respectively, of the U.S. delegation to the International Conference on Pollution of the Seas and Coasts by Oil. Mr. Mann is Acting Shipping Adviser, Office of Transport and Communications Policy, Department of State.*

U.S. Delegations to International Conferences

International Mathematical Union and International Congress of Mathematicians

The Department of State announced on August 17 (press release 450) that the United States would be represented at both the Second General Assembly of the International Mathematical

Union at The Hague, Netherlands, August 31-September 1, and the Tenth International Congress of Mathematicians at Amsterdam, September 2-9, by the following delegates:

Marshall Harvey Stone, *Chairman*, Professor of Mathematics, University of Chicago, Chicago, Ill.
Abraham Adrian Albert, Professor of Mathematics, University of Chicago, Chicago, Ill.
Carl Einar Hille, Professor of Mathematics, Yale University, New Haven, Conn.
Saunders MacLane, Professor of Mathematics, University of Chicago, Chicago, Ill.
Edward James McShane, Professor of Mathematics, University of Virginia, Charlottesville, Va.

The International Mathematical Union, a semi-governmental organization, was formally established on September 10, 1951. The First General Assembly of the Union was held at Rome in March 1952. The Union aims to promote international cooperation in mathematics, to support and assist the International Congress of Mathematicians and other international scientific meetings or conferences, and to encourage and support other international mathematical activities considered likely to contribute to the development of mathematical science in any of its aspects—pure, applied, or educational.

The United States adheres to the International Mathematical Union through the National Academy of Sciences—National Research Council. Present membership in the Union includes national adhering organizations in 27 countries.

At the Second General Assembly, the International Mathematical Union will consider administrative, organizational, and policy matters, including (1) proposals regarding symposia; (2) discussion of relations with the International Council of Scientific Unions (Icsu) and other unions; and (3) adoption of the budget for 1955-58. A further topic for discussion involves consideration of a proposal for the production of a film about the universal role of mathematics and mathematicians at the present time.

Cinematographic Art Exhibition

The Department of State announced on August 19 (press release 459) that Andrew W. Smith, Jr., of the U.S. Information Agency had been named U.S. representative to the XV International Exhibition of Cinematographic Art, which convened at Venice, Italy, on July 6. In addition to Mr. Smith, the following have been designated to

represent the United States for that portion of the exhibition scheduled to convene on August 22:

Corepresentative

John Crain Kunkel, 111 Blackbury Street, Harrisburg, Pa.

Alternate representatives

Frank Dennis, Public Affairs Officer, United States Information Agency, Rome, Italy

Joseph D. Ravotto, Films Officer, United States Information Agency Hicog, Bonn, Germany

Staff Assistant

Elica Calderara, Assistant to Films Officer, United States Information Agency, Rome, Italy

This series of annual exhibitions, held under the auspices of the Biennale of Venice and sponsored by the Italian Government, is designed to give public acknowledgment to those films which testify to a genuine effort toward progress in cinematography as a means of artistic expression and of spreading knowledge, culture, and civilization throughout the world. The U.S. Government and the private motion picture industry have participated in many of these exhibitions. The XV International Exhibition includes the VI Festival of Films for Children and the V International Exhibition of Documentary and Short-Subject Films.

Edinburgh Film Festival

The Department of State announced on August 19 (press release 461) that the U.S. Government will be represented at the Eighth Edinburgh Film Festival at Edinburgh, Scotland, from August 22 to September 12 by the following delegation:

United States delegate

Willard Webb, *Chairman*, Library of Congress, Washington, D. C.

Special representative

Maurice Rosenfeld, 870 Fifth Avenue, New York 21, N. Y.

Adviser

Robert Lawrence, United States Information Agency, Edinburgh, Scotland

Opportunity is being taken to mark the 25th anniversary of documentary films and 10 years achievement in the production of films for children. There will also be a 1-day conference on "Films in Religion." The Film Festival is being held as part of the International Festival of Music and Drama.

U.S. Objectives in the Near East

Following is an exchange of correspondence between the Department of State and Representative Emanuel Celler of New York.

REPRESENTATIVE CELLER TO SECRETARY DULLES¹

AUGUST 4, 1954.

HON. JOHN FOSTER DULLES,
Secretary of State, Department of State,
Washington, D. C.

MY DEAR MR. SECRETARY: Now that Britain has agreed to evacuate the Suez Canal Zone in view of the tensions between Israel and Egypt, it is pertinent to ask your answers to the following questions:

1. Did Egypt express any intention in the Suez Canal settlement to improve her relations with Israel?

2. The State Department has ordered the expediting of plans to provide Egypt with free American munitions not unlike the grant of arms given to Iraq. Soon after our Ambassador Jefferson Caffery recently called upon the Egyptian Foreign Minister Lieutenant Colonel Nasser and offered, it is reported, on behalf of the United States such military (and as well economic) aid, said Foreign Minister thereupon announced the decision of Egypt to build a powerful national army. Will the United States award a similar grant of arms to Israel, so that the balance of military power in the Middle East will not be disturbed to Israel's disadvantage?

3. Israel's application for military aid from United States has been pending since 1952. Should not such application be now granted? It has been stated that Israel's application would be granted "eventually." "Eventually," but why not now? This is the historic moment to grant equality of arms treatment to Israel, Iraq, and Egypt.

4. Would not the removal of British restraint

in the Canal Zone and the granting of new military strength to Egypt without corresponding aid to Israel and without the Arab State being obligated to regularize her relations with Israel, be interpreted by the rulers of Egypt as a spur to new aggression? I emphasize the truculence of the Egyptian leaders toward Israel. Lieutenant Colonel Nasser, Egypt's Prime Minister, in a recent speech indicated clearly that he regarded Israel as Egypt's chief enemy. Certainly arms would not be used by Egypt against any Russian threat. Egypt recognizes none. Would they not be used against what Lieutenant Colonel Nasser calls Egypt's chief enemy—Israel?

5. Did the United States seek to have Egypt abandon the blockade of cargoes moving through the canal to and from Israel? Such blockade is in violation of the Treaty of 1888 originally signed by Egypt, when the canal was built. The blockade also has been condemned by the U.N. Security Council resolution dated September 1, 1951. The United States might well demand compliance with the council's resolution of condemnation.

6. Is it proper for United States to arm Egypt as long as she continues such illegal blockade?

7. Has the United States taken cognizance of the statement of the Egyptian Minister of National Guidance, Major Salem, that as soon as British troops are removed from Egypt the Egyptian army would be in a position to attack Israel? In the light of such and additional inflammatory threats of other Egyptian officials, will the United States as a signatory with France and Britain of the so-called Tripartite Agreement of May 25, 1950,² reaffirm its intention that any act of aggression of any of the countries of the Middle East, including Egypt, would be resisted? France and Great Britain have publicly stated they are considering reaffirmation of their obligations under the treaty. Also, it is well to note that Britain's Foreign Secretary, Mr. Anthony Eden, in the House of Commons a few days ago, took note of the fact that the tripartite declaration stressed the fact that no arms should be supplied to any of the Arab states without firm assurance

¹ Reprinted from *Cong. Rec.* of Aug. 5, 1954, p. A5811.

² BULLETIN of June 15, 1953, p. 834, footnote 2.

that such arms would not be used for the purpose of aggression against any other Middle East state.

8. How would such aggression by Egypt against Israel be resisted? Would resistance be limited merely to political intercession or would political pronouncements be implemented by force of arms?

9. Should there not be firmer guaranties of the Middle East status quo by the three powers? Should not military sanctions be imposed upon any Middle East nation, Arab, or Israel, guilty of aggression and hostile invasion?

10. Equally important is the question of whether Egypt will interfere with shipping passing through the Gulf of Aqaba towards and from the Israeli port of Elath. The Egyptians hold two islands commanding the entrance to the gulf. Has the United States considered this possible handicap to Israel?

It is to be noted significantly that upon learning that Egypt had entered into an agreement for the purchase of light weapons and munitions worth \$3½ million with Spain, the British voiced deep objection in an aide memoire to Franco. Naturally the British were apprehensive since they have agreed to haul down their flag in the process of concluding an evacuation of British military forces from the Suez area.

11. It is of double ironic interest that the United States Defense Department also expressed its concern to the Spanish general staff. Both the British and our Defense Department understandably question to what use these arms would be used. Now Spain agreeable to protest has agreed not to supply arms to Egypt. When we, citizens of the United States, asked the question to what use the United States arms granted to Iraq would be put, we were told that our fears were merely neurotic. Hence we must conclude what is sauce for the goose is not sauce for the gander.

Now arms are to be supplied to Egypt by us. Apparently we express concern when Spain aspired to send arms to Egypt but have no qualms in sending them ourselves.

May we have an explanation of this inconsistency?

12. The Heads of Agreement concluded between Egypt and Great Britain dated July 27, 1954, pertaining to the Suez military bases^a contains the following:

The agreement will recognize that the Suez Maritime Canal, which is an integral part of Egypt, is a waterway economically, commercially and strategically of international importance, and will express the determination of both parties to uphold the 1888 Convention guaranteeing the freedom of navigation of the Canal.

Egypt has repeatedly failed to abide by these guaranties concerning free accessibility of the Suez Canal.

Has the United States made any representations to Egypt concerning her default in this regard?

^a *Ibid.*, Aug. 9, 1954, p. 198.

If not why should not strong representations be made now?

With assurances of highest esteem, I am,
Sincerely yours,

EMANUEL CELLER.

**ASSISTANT SECRETARY MORTON TO
REPRESENTATIVE CELLER**

AUGUST 11, 1954

DEAR MR. CELLER: I have received your communication of August 4, 1954 requesting comment on certain aspects of United States relations with Egypt, Israel and other Near Eastern countries in the light of the recently concluded "Heads of Agreement" between the Governments of the United Kingdom and Egypt on the Suez Base.

As you are aware, this Government has been deeply concerned over Anglo-Egyptian relations over a period of several years. There has been cause for apprehension ever since a previous Egyptian government unilaterally denounced the Anglo-Egyptian treaty in the spring of 1951. There has been deep popular unrest in Egypt and, you will recall, a serious outbreak took place in Cairo on January 26, 1952. It was our conviction that the prolongation of a situation of this nature could only entail a very grave risk to the peace and stability of the whole area. For this reason it was a matter of gratification to the Department to see such significant progress made in removing a major element of difficulty in Egypt's foreign relations and domestic situation.

It is of interest to note that shortly after the signing of the "Heads of Agreement" Lt. Colonel Gamal Abd an-Nasr made several public statements. In an interview given to a correspondent of the London *Times* on August 1, the Prime Minister is quoted as stating: "We entertain no evil designs in respect of Israel. We only want to be able to repulse any attack against us and to defend ourselves."

On August 3 the Cairo press carried an interview with a "highly placed Egyptian source." He was asked whether the British negotiators had requested assurances that Egypt would not attack Israel. He replied that "we talked about the maintenance of peace in the Middle East generally. We emphasized that we had no intention of attacking anybody and we pointed specifically to the armistice agreement between ourselves and Israel."

On August 3 the Egyptian Prime Minister had an interview with an Associated Press representative. Throughout the conversation the Prime Minister emphasized his desire for peace. He stated that Egypt's whole theme now was constructive planning. He added, "we do not believe war constitutes constructive planning."

In citing these statements, I do not wish to imply

that this Government relies primarily on public declarations of officials of this area in assessing the intentions of their Governments or their peoples, but rather on the cumulative evidence of reports from many sources and primarily those of our own diplomatic missions. Due assessment in this case, however, coincides with these official Egyptian statements. We fail to find evidence that any Arab state is desirous or capable of sustaining an aggressive move against Israel.

The Israel request for military assistance remains under consideration by this Government. Factors involved in the consideration of this application include Israel's present military posture, which is not one of weakness, and her position in the overall strategic concept of the area. As conditions improve in the area generally the role which Israel could play in the defense of the Near East should take on added importance.

Arms aid extended to any country is subject to the legislative requirement that suitable assurances be given that the arms will not be used for aggressive purposes. Due consideration will also be given to conditions existing in the area at the time of actual shipment of military equipment. Also, because of logistical and training factors any shipments made will not have important effects on relative military strengths for a considerable period.

With respect to a possible shipment of Spanish arms to Egypt, some time ago the British were apprehensive that such shipments might upset the delicate negotiations which led to the signing of the "Heads of Agreement." We expressed concern over the possibilities that the export of arms might prove inconsistent with the spirit of the mutual assistance agreement concluded between the United States and Spain.

The United States continues to be a firm supporter of the Tripartite Declaration of 1950 and would not hesitate to take action under this declaration, should the necessity arise. We are constantly discussing with the countries of the area as well as the British and French ways and means by which area tensions can be reduced. As an example of such efforts, you may be aware of our attempts with these governments to improve the situation along the Jordan-Israel armistice line.

As regards your questions concerning the freedom of commerce through the Suez Canal and the Gulf of Aqaba, you may rest assured the United States stands fully behind the Security Council resolution of September 1, 1951, calling upon Egypt to lift restrictions on Suez Canal traffic bound to or from Israel and will continue to urge compliance on the Egyptian Government. My letter to you of August 2⁴ enclosing a copy of a letter to Senator Saltonstall⁴ is a detailed expression of the Government's policy in this regard.

⁴ Not printed.

It is our belief that our efforts in the Near East towards promoting increasing local activity to raise living standards, relaxing of area tension, the lessening of opportunities for communist exploitation, and the gradual strengthening of the countries of this area can only work to the benefit of all. The threat posed by Soviet imperialism is of such a character that we feel obliged to take immediate measures to foster indigenous defensive strength, and not to delay such steps pending a definitive settlement of intra-area problems.

Our close friendship with Israel remains firm, and you can be sure that this Government regards the step-by-step reduction of tensions between Israel and her Arab neighbors as an essential element in its major objective to strengthen the area as a whole. It believes that its present policies serve that objective.

Sincerely yours,

For the Secretary of State:

THRUSTON B. MORTON

Assistant Secretary

TREATY INFORMATION

Agreement With West Germany on Surplus Property Payment

Press release 464 dated August 20

Following are the texts of notes exchanged between the Department of State and the Diplomatic Mission of the Federal Republic of Germany which constitute an agreement pursuant to Articles I and VII of the Surplus Property Payment Agreement of February 27, 1953.¹ The exchange of notes provides for an adjustment of \$2.35 million in the \$203 million indebtedness of the Federal Republic under this agreement. This adjustment arises with respect to certain of the claims asserted against the Federal Republic or its agencies as a result of the reacquisition by the United States of surplus property previously sold to the Federal Republic by the United States as described in the Department's press release No. 72 of February 17, 1954.²

¹ BULLETIN of Mar. 9, 1953, p. 373.

² Not printed.

Text of U.S. Note

MAY 17, 1954

The Secretary of State presents his compliments to the Chargé d'Affaires ad interim of the Diplomatic Mission of the Federal Republic of Germany and refers to the negotiations which commenced in Washington on February 19, 1954 at a Conference between representatives of the Government of the Federal Republic of Germany and the Government of the United States pursuant to Articles I and VII of the Agreement between the United States of America and the Federal Republic of Germany regarding the Settlement of the Obligation of the Federal Republic of Germany to the United States of America for Surplus Property Furnished Germany, signed at London on February 27, 1953. These negotiations are for the purpose of reaching agreement, in accordance with Article VII of the Agreement, on the total amount to be deducted from the indebtedness of the Federal Republic to the United States specified in Article I of the Agreement in respect of claims for damages lodged by third parties against the Federal Republic or its agencies arising from the reacquisition of certain of the surplus property by the United States.

At the outset of the negotiations, consideration was given to determining the total number of third party claims which the Conference might be called upon to consider. The information available to representatives of both Governments was exchanged and it was agreed that the maximum number of claims involved was twenty-two. A list setting forth these claims for identification purposes, by number and by name, is attached.

The Conference undertook a careful review and study of the legal and factual basis of the individual claims, taking into account the assurances and explanations of the German representatives regarding German law, governmental procedures, and pertinent facts relating to the claims themselves and to the manner in which they have been and would be processed in Germany. While this review and study has included all of the twenty-two claims, it has been completed to the satisfaction of the Conference only with respect to claims C-1 through C-11 and C-19.

In the interest of fulfilling the obligations contained in Article VII of the Surplus Property Payment Agreement insofar as is possible at this time, the Government of the United States proposes an interim agreement to provide for the final disposition of claims C-1 through C-11 and C-19, and for the orderly conduct of further studies of the remaining claims as may be required, in the following terms:

1. The United States Government will allow and the Government of the Federal Republic will accept a deduction of \$2,350,000 effective January 1, 1953 from the indebtedness of the Federal Republic specified in Article I of the Surplus Prop-

erty Payment Agreement of February 27, 1953 as full and final disposition and adjustment as between the two Governments in respect of claims C-1 through C-11 and C-19, as shown on the attached list, including any interest thereon and any other costs relating thereto.

2. The Government of the Federal Republic will undertake all further dealings with the claimants regarding claims C-1 through C-11 and C-19, including any disposition which may be made as to such claims; and the Federal Republic on behalf of itself and all persons subject to its jurisdiction hereby releases and discharges the United States, including its agencies and instrumentalities and all officers and employees thereof, from any and all claims and liabilities either now existing or hereafter arising in connection with transactions involved in these twelve claims, and will indemnify and hold harmless the United States with respect to any and all such claims and liabilities.

3. Representatives of the two Governments will cooperate in obtaining and assembling additional pertinent factual information regarding the remaining ten claims so that the review and study of these claims may be completed as promptly as possible. Thereafter, the negotiations will be resumed for the purpose of reaching agreement as to what additional amount is to be deducted in respect of such remaining ten claims from the indebtedness of the Federal Republic to the United States specified in Article I of the Surplus Property Payment Agreement.

If the Government of the Federal Republic of Germany is agreeable to the foregoing proposals the Government of the United States of America will consider the present note and your reply concurring therein as constituting an agreement between our respective Governments which shall enter into force on the date of the receipt of your note in reply.

Enclosure: List of Claims.

DEPARTMENT OF STATE,
Washington, May 17, 1954.

NEGOTIATIONS BETWEEN THE UNITED STATES
AND THE FEDERAL REPUBLIC OF GERMANY
UNDER ARTICLES I AND VII OF THE SURPLUS
PROPERTY PAYMENTS AGREEMENT

Agreed List of Claims for Reference Purposes

- C-1 Trucks and Spares
- C-2 Metall-Chemie GmbH—Prop. Rudolf Buchmann
- C-3 Kruger and Hoffmann
- C-4 Karl Forster Kraftfahrzeug GmbH
- C-5 ACMA GmbH (successor in interest to Sievert)
- C-6 Paul Fabricant
- C-7 Tauber and Schadendorf
- C-8 Christian Schencl
- C-9 NORDAP, Kraftfahrzeug GmbH
- C-10 Bundesbahn (German Federal Railway)
- C-11 ATEGE

August 30, 1954

- C-12 ANSKA TRUST III (Binswagen Depot)
 C-13 COGIMEX (Compagnie Generale d'Importation et d'Exportation)
 C-14 Allied Equipment Company
 C-15 William J. Lutes (U. S. Truck Sales)
 C-16 David B. Kaplus
 C-17 Oakland Truck Sales
 C-18 Cuban Truck and Equipment Company
 C-19 Testa (Cleveland)
 C-20 Richard Kuhn
 C-21 ANSKA TRUST I (automotive engines)
 C-22 ANSKA TRUST II (Mannheim Depot)

Text of German Note

The Chargé d'Affaires ad interim of the Federal Republic of Germany presents his compliments to the Secretary of State and has the honor to acknowledge receipt of the Secretary of State's note of May 17, 1954 which reads as follows:

(See text of U.S. Note)

On behalf of the Government of the Federal Republic of Germany the Chargé d'Affaires ad interim has the honor to inform the Secretary of State that the proposals set forth in his note of May 17, 1954 are acceptable and that the German Federal Government concurs with the further proposal that that note and this reply shall be considered as constituting an agreement between our respective Governments which shall enter into force on the date of the receipt of this reply by the Secretary of State.

WASHINGTON, D. C., August 17, 1954.

Current Actions

STATUS LIST¹

Convention of the World Meteorological Organization

Signed at Washington under date of October 11, 1947

States which have deposited instruments of ratification of or accession to the Convention and are members of the World Meteorological Organization:

State	Date of deposit of instrument of ratification	Date of deposit of instrument of accession	Date of entry into force ²
Argentina	Jan. 2, 1951	.....	Feb. 1, 1951
Australia ³	Mar. 14, 1949	.....	Mar. 23, 1950
Belgium ⁴	Feb. 2, 1951 ⁴	.....	Mar. 4, 1951
Bolivia . . . . .	.....	May 15, 1954	June 14, 1954
Brazil	Mar. 15, 1950 ⁴	.....	Apr. 14, 1950
Bulgaria . . . . .	.....	Mar. 12, 1952	Apr. 11, 1952
Burma	Aug. 19, 1949	.....	Mar. 23, 1950
Byelorussian Soviet Socialist Republic . . . . .	.....	Apr. 12, 1948	Mar. 23, 1950

¹ As of Aug. 13, 1954.

State	Date of deposit of instrument of ratification	Date of deposit of instrument of accession	Date of entry into force ²
Canada	July 28, 1950	.....	Aug. 27, 1950
Ceylon . . . . .	.....	May 23, 1951	June 22, 1951
China	Mar. 2, 1951	.....	Apr. 1, 1951
Cuba	Mar. 4, 1952	.....	Apr. 3, 1952
Czechoslovakia	July 26, 1949	.....	Mar. 23, 1950
Denmark ³	July 10, 1951	.....	Aug. 9, 1951
Dominican Republic	Sept. 15, 1949	.....	Mar. 23, 1950
Ecuador	June 7, 1951	.....	July 7, 1951
Egypt	Jan. 10, 1950 ⁴	.....	Mar. 23, 1950
Ethiopia . . . . .	.....	Dec. 3, 1953	Jan. 2, 1954
Finland	Jan. 7, 1949	.....	Mar. 23, 1950
France ³	Dec. 5, 1949	.....	Mar. 23, 1950
Germany, Fed. Republic of . . . . .	.....	June 10, 1954	July 10, 1954
Greece	Jan. 20, 1950 ⁴	.....	Mar. 23, 1950
Guatemala	Mar. 21, 1952	.....	Apr. 20, 1952
Haiti . . . . .	.....	Aug. 14, 1951	Sept. 13, 1951
Hungary	Feb. 15, 1951	.....	Mar. 17, 1951
Iceland	Jan. 16, 1948	.....	Mar. 23, 1950
India	Apr. 27, 1949	.....	Mar. 23, 1950
Indonesia . . . . .	.....	Nov. 16, 1950	Dec. 16, 1950
Iraq . . . . .	.....	Feb. 21, 1950	Mar. 23, 1950
Ireland	Mar. 14, 1950	.....	Apr. 13, 1950
Israel . . . . .	.....	Sept. 30, 1949	Mar. 23, 1950
Italy	Jan. 9, 1951 ⁴	.....	Feb. 8, 1951
Japan . . . . .	.....	Aug. 11, 1953	Sept. 10, 1953
Lebanon . . . . .	.....	Dec. 22, 1948	Mar. 23, 1950
Luxembourg . . . . .	.....	Oct. 29, 1952	Nov. 28, 1952
Mexico	May 27, 1949	.....	Mar. 23, 1950
Netherlands ³	Sept. 12, 1951	.....	Oct. 12, 1951
New Zealand	Apr. 2, 1948	.....	Mar. 23, 1950
Norway	Dec. 9, 1948	.....	Mar. 23, 1950
Pakistan	Apr. 11, 1950	.....	May 11, 1950
Paraguay	Sept. 15, 1950	.....	Oct. 15, 1950
Peru . . . . .	.....	Dec. 30, 1949	Mar. 23, 1950
Philippines	Apr. 5, 1949	.....	Mar. 23, 1950
Poland	May 16, 1950	.....	June 15, 1950
Portugal ³	Jan. 15, 1951 ⁴	.....	Feb. 14, 1951
Rumania . . . . .	.....	Aug. 18, 1948	Mar. 23, 1950
Spain ³ . . . . .	.....	Feb. 27, 1951	Mar. 29, 1951
Sweden	Nov. 10, 1948	.....	Mar. 23, 1950
Switzerland	Feb. 23, 1949	.....	Mar. 23, 1950
Syria . . . . .	.....	July 16, 1952	Aug. 15, 1952
Thailand	July 11, 1949	.....	Mar. 23, 1950
Turkey	Aug. 5, 1949	.....	Mar. 23, 1950
Ukrainian Soviet Socialist Republic . . . . .	.....	Apr. 12, 1948	Mar. 23, 1950
Union of South Africa ³	Jan. 17, 1950	.....	Mar. 23, 1950
Union of Soviet Socialist Republics . . . . .	.....	Apr. 2, 1948	Mar. 23, 1950
United Kingdom of Great Britain and Northern Ireland ³	Dec. 14, 1948	.....	Mar. 23, 1950
United States of America	May 4, 1949 ⁴	.....	Mar. 23, 1950
Uruguay	Jan. 11, 1951	.....	Feb. 10, 1951
Venezuela . . . . .	.....	June 16, 1950	July 16, 1950
Yugoslavia	Dec. 7, 1948 ⁴	.....	Mar. 23, 1950

² The Convention, in accordance with the provisions of article 35 thereof, entered into force on Mar. 23, 1950, between the Governments of Australia, Burma, Byelorussian Soviet Socialist Republic, Czechoslovakia, Dominican Republic, Egypt, Finland, France, Greece, Iceland, India, Iraq, Israel, Lebanon, Mexico, New Zealand, Norway, Peru, Philippines, Rumania, Sweden, Switzerland, Thailand, Turkey, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, and Yugoslavia.

³ For territorial application, see following listings.
⁴ Instrument of ratification included Protocol Concerning Spain.

⁵ A declaration concerning the Anglo-Egyptian Sudan was received with the Egyptian instrument of ratification.

Territories or groups of territories maintaining their own meteorological services which by virtue of the declarations given on their behalf by the State responsible for their international relations, in accordance with the provisions of articles 3(d) and 34(a) of the Convention, are separate members of the World Meteorological Organization:

	Date of receipt of declaration
Belgium for:	
Belgian Congo	Feb. 2, 1951
France for:	
Cameroons under French Trusteeship	Dec. 5, 1949
French Equatorial Africa	Dec. 5, 1949
French Oceanic Colonies	Dec. 5, 1949
French Somaliland	Dec. 5, 1949
French Togoland	Dec. 5, 1949
French West Africa	Dec. 5, 1949
Indo China	Dec. 5, 1949
Madagascar	Dec. 5, 1949
Morocco (not including the Spanish Zone)	Dec. 5, 1949
New Caledonia	Dec. 5, 1949
Tunisia	Dec. 5, 1949
Netherlands for:	
The Netherlands Antilles (Curaçao)	Sept. 12, 1951
New Guinea (The Netherlands Indies)	Sept. 12, 1951
Surinam	Sept. 12, 1951

Territories or groups of territories maintaining their own meteorological services which by virtue of the notifications of application given on their behalf by the State responsible for their international relations, in accordance with the provisions of Articles 3 (e) and 34 (b) of the Convention, are separate members of the World Meteorological Organization:

	Date of receipt of notification of application
Spain for:	
Spanish Guinea	Mar. 25, 1954
Spanish Morocco	Mar. 25, 1954
United Kingdom of Great Britain and Northern Ireland for:	
British Caribbean Territories	Sept. 24, 1953
Bahamas	
Barbados	
British Guiana	
British Honduras	
Jamaica (including Turks and Caicos Islands)	
Leeward Islands (Antigua, Montserrat, St. Christopher and Nevis and the Virgin Islands)	
Trinidad and Tobago	
Windward Islands (Dominica, Grenada, St. Lucia, St. Vincent)	

Territories and areas to which the Convention has been applied by various States, by virtue of the membership of those States in the World Meteorological Organization, which territories and areas are not separate members of the Organization:

	Date of receipt of notification
Australia for:	
Papua	Oct. 26, 1950
Norfolk Island	Oct. 26, 1950
New Guinea (under Australian Trusteeship).	Oct. 26, 1950

Australia for—Continued

Nauru (under Joint Trusteeship)*	Oct. 26, 1950
Belgium for:	
Trust Territory of Ruanda-Urundi	Feb. 2, 1951
Denmark for:	
Greenland	Jan. 25, 1952
France for:	
Algeria	Dec. 5, 1949
French Guiana	Dec. 5, 1949
French West Indies	Dec. 5, 1949
Réunion	Dec. 5, 1949
Saint Pierre and Miquelon	Dec. 5, 1949
Saïr	Dec. 5, 1949
Valleys of Andorra	Dec. 5, 1949
New Hebrides (Condominium)	Sept. 1, 1953
Portugal for:	
Angola (Portuguese West Africa)	Jan. 15, 1951
Mozambique (Portuguese East Africa)	Jan. 15, 1951
United Kingdom of Great Britain and Northern Ireland for:	
Bermuda	Dec. 14, 1948
Central African Territories	Dec. 14, 1948
[Listed in Annex II of the Convention as "Rhodesia"]	
Northern Rhodesia (Protectorate)	
Nyasaland Protectorate	
Southern Rhodesia	
Hong Kong	Dec. 14, 1948
Malayan Territories	Dec. 14, 1948
[Listed in Annex II of the Convention as "Malaya"]	
Singapore	
Federation of Malaya	
North Borneo	
Sarawak	
Brunei (Protected State)	
The East African Territories and Indian Ocean Islands	Dec. 14, 1948
[Listed in Annex II of the Convention as "British East Africa" and "Mauritius"]	
Kenya (Colony and Protectorate)	
Uganda Protectorate	
Tanganyika (Trust Territory)	
Zanzibar Protectorate	
Mauritius	
Seychelles	
The West African Territories	Dec. 14, 1948
[Listed in Annex II of the Convention as "British West Africa" and "Cameroons" (under United Kingdom Trusteeship)]	
Nigeria (a) Colony	
(b) Protectorate	
(c) Cameroons under United Kingdom Trusteeship	
Gold Coast (a) Colony	
(b) Ashanti	
(c) Northern Territories	
(d) Togoland under United Kingdom Trusteeship	
Sierra Leone (Colony and Protectorate)	
Gambia (Colony and Protectorate)	
Portugal for:	
Azores Archipelago	Jan. 15, 1951
Madeira Islands	Jan. 15, 1951
Cape Verde Islands	Jan. 15, 1951
Portuguese Guinea	Jan. 15, 1951

* It is stated in the Australian notification that "The Trusteeship Agreement designates the Governments of Australia, New Zealand and the United Kingdom as the Joint Administering Authority, with the Government of Australia, continuing, on behalf of the Administering Authority, to exercise full powers of legislation, administration and jurisdiction in and over the Territory."

	<i>Date of receipt of notification</i>
Portugal for—Continued	
Islands of S. Tomé and Príncipe, and the Fortress of S. João Baptista de Ajuda . . .	Jan. 15, 1951
Portuguese India (Estado da Índia) . . .	Jan. 15, 1951
Macao	Jan. 15, 1951
Portuguese Timor	Jan. 15, 1951
Spain for:	
Africa Occidental Española (Spanish West Africa)	Feb. 27, 1951
Valleys of Andorra	Apr. 13, 1951
Union of South Africa for:	
Territory of South West Africa	Jan. 17, 1950
United Kingdom of Great Britain and Northern Ireland for:	
Aden (Colony and Protectorate)	Dec. 14, 1948
Basutoland	Dec. 14, 1948
Bechuanaland (Protectorate)	Dec. 14, 1948
British Solomon Islands (Protectorate) . .	Dec. 14, 1948
Falkland Islands and Dependencies . . .	Dec. 14, 1948
Fiji	Dec. 14, 1948
Gibraltar	Dec. 14, 1948
Gilbert and Ellice Islands	Dec. 14, 1948
Malta	Dec. 14, 1948
Swaziland	Dec. 14, 1948
New Hebrides (Condominium)	Sept. 1, 1953
British Somaliland (Protectorate) . . .	Nov. 2, 1953

PUBLICATIONS

Recent Releases

For sale by the Superintendent of Documents, U.S. Government Printing Office, Washington 25, D. C. Address requests direct to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

Educational Exchange Grants. Pub. 5484. International Information and Cultural Series 29. 21 pp. 10¢.

A pamphlet prepared for applicants on grants which summarizes the objectives and basic laws authorizing the International Educational Exchange Program.

Foreign Consular Offices in the United States, April 1, 1954. Pub. 5448. Department and Foreign Service Series 35. 48 pp. 20¢.

An official list of the foreign consular offices in the United States, their jurisdictions, and recognized personnel prepared for the convenience of Government agencies, State tax officials, chambers of commerce, judicial authorities, and other organizations or persons who must deal with representatives of foreign governments.

Mutual Defense Assistance. TIAS 2751. Pub. 5354. 3 pp. 5¢.

Agreement between the United States and Ethiopia. Exchange of notes—Signed at Addis Ababa June 12 and 13, 1952.

Amendment to Anglo-French Agreement for Reestablishment of International Administration of Tangier. TIAS 2752. Pub. 5355. 19 pp. 15¢.

Protocol between the United States and Other Governments—Signed at Tangier Nov. 10, 1952.

Technical Cooperation—Program of Education. TIAS 2754. Pub. 5364. 4 pp. 5¢.

Agreement between the United States and Iraq. Exchange of notes—Dated at Baghdad Feb. 26 and May 21, 1952.

Technical Cooperation—Public Works Program. TIAS 2755. Pub. 5365. 4 pp. 5¢.

Agreement between the United States and Iraq. Exchange of notes—Dated at Baghdad Feb. 27 and May 21, 1952.

Relief From Taxation on Defense Expenditures. TIAS 2784. Pub. 5200. 14 pp. 10¢.

Agreement between the United States and Portugal. Exchange of notes—Signed at Lisbon Apr. 1, 1953.

High Seas Fisheries of the North Pacific Ocean. TIAS 2786. Pub. 5202. 41 pp. 20¢.

Convention, with Annex and Protocol, between United States, Canada, and Japan—Signed at Tokyo May 9, 1952.

Technical Cooperation—Program of Education. TIAS 2804. Pub. 5265. 5 pp. 5¢.

Agreement between United States and Ethiopia, superseding and replacing agreement of June 17 and 18, 1952. Exchange of notes—Dated at Addis Ababa June 23 and 25, 1953.

Economic Cooperation. TIAS 2815. Pub. 5234. 3 pp. 5¢.

Agreement between United States and the United Kingdom, amending agreement of July 6, 1948, as amended. Exchange of notes—Signed at London Feb. 25, 1953.

THE DEPARTMENT

Designation

Niles W. Bond as Deputy Director of the Office of United Nations Political and Security Affairs, effective August 12.

FOREIGN SERVICE

Confirmations

The Senate on August 18 confirmed Robert McClintock to be Ambassador to Cambodia.

The Senate on August 18 confirmed Charles W. Yost to be Minister to Laos.

The Senate on August 20 confirmed John J. Muccio to be Minister to Iceland.

American Principles. The Interrelationship of Military Power and Foreign Policy (Murphy)	291
Atomic Energy. Atomic Energy Specialist Visits Latin America	301
Austria	
Procedures for Exports to Austria	309
U.S. Accepts Austrian Proposal for Five-power Committee	309
Canada. Conclusion of Discussions on St. Lawrence Seaway (texts of notes)	299
Czechoslovakia	
Czechoslovak Acceptance of Flood Aid Offer (text of Czechoslovak note)	309
U.S. Demands Payment From Czechoslovakia in Plane Incident (text of note)	302
Economic Affairs	
Agreement With West Germany on Surplus Property Payment (texts of notes)	318
Netherlands Makes Prepayment on World Bank Loan	310
Notice of Hearings on Review of General Trade Agreement	310
Procedures for Exports to Austria	309
Reducing the Menace of Oil Pollution (Shepherd, Mann)	311
Far East. Senators Smith and Mansfield To Attend Far East Conferences	296
Foreign Service. Confirmations (McClintock, Muccio, Yost)	322
France. Anniversary of Allied Landings (Eisenhower)	294
Germany. Agreement With West Germany on Surplus Property Payment (texts of notes)	318
Guatemala. Letter of Credence (Salazar)	296
International Organizations and Meetings	
Reducing the Menace of Oil Pollution (Shepherd, Mann)	311
Senators Smith and Mansfield To Attend Far East Conferences	296
U.S. Delegations to International Conferences	314
Latin America. Atomic Energy Specialist Visits Latin America	301
Letters of Credence. (Chuong, Salazar)	296
Military Affairs. The Interrelationship of Military Power and Foreign Policy (Murphy)	291
Mutual Security	
Czechoslovak Acceptance of Flood Aid Offer (text of Czechoslovak note)	309
Flood Relief for Pakistan	295
Near East. U.S. Objectives in the Near East (Celler, Morton)	316
Netherlands. Netherlands Makes Prepayment on World Bank Loan	310
Pakistan	
Flood Relief for Pakistan	295
Pakistani Prime Minister's Visit	295
Panama. Discussions With Panama	301
Presidential Documents. Anniversary of Allied Landings	294
Protection of Nationals and Property. U.S. Demands Payment From Czechoslovakia in Plane Incident (text of note)	302
Publications. Recent Releases	322
State, Department of	
Confirmation (Hoover)	306
Designation (Bond)	322
Resignation of Walter Bedell Smith as Under Secretary of state	306
Treaty Information	
Agreement With West Germany on Surplus Property Payment (texts of notes)	318
Current Actions	320
Notice of Hearings on Review of General Trade Agreement	310

United Nations	
Charter Review as a Means of Strengthening the U.N. (Wainhouse)	296
Confirmation (Nash)	294
Viet-Nam. Letter of Credence (Chuong)	296
Name Index	
All, Mohammed	295
Bliss, Don C.	301
Bond, Niles W.	322
Celler, Emanuel	316
Chuong, Tran Van	296
Devers, Jacob L.	294
Dulles, Secretary	307
Eisenhower, President	294, 295, 306
Hoover, Herbert, Jr.	306
LeBaron, Robert	301
Mann, John W.	311
Mansfield, Mike	296
McClintock, Robert	322
Morton, Thurston B.	316
Muccio, John J.	322
Murphy, Robert G.	291
Nash, James Phillip	294
Pearson, L. B.	299
Salazar, José Luis Cruz	296
Shepherd, H. C.	311
Smith, H. Alexander	296
Smith, Walter Bedell	306
Wainhouse, David W.	296
Yost, Charles W.	322

Check List of Department of State Press Releases: August 16-22

Releases may be obtained from the News Division, Department of State, Washington 25, D. C.

Press release issued prior to August 16 which appears in this issue of the BULLETIN is No. 442 of August 14.

No.	Date	Subject
446	8/16	Guatemala credentials (re-write).
447	8/16	Viet-Nam credentials (re-write).
448	8/16	Wainhouse: Charter review.
*449	8/16	McClintock nomination to Cambodia.
450	8/17	Delegates to mathematical conference.
*451	8/17	Educational exchange.
*452	8/17	Yost nomination to Laos.
*453	8/18	U.S. note to Denmark. (See BULLETIN of Aug. 16, p. 251.)
*454	8/18	U.S. note to Denmark. (See BULLETIN of Aug. 16, p. 251.)
455	8/17	Dulles: General Smith resigns.
456	8/18	U.S.-Panamanian discussions.
457	8/18	St. Lawrence Seaway project.
*458	8/18	Herbert Hoover, Jr., statement.
459	8/19	Cinematographic Art Exhibition.
*460	8/19	Dulles: Message to Mrs. De Gasperi.
461	8/19	Delegates to Edinburgh Film Festival.
*462	8/19	De Gasperi death.
463	8/20	Murphy: Military power and foreign policy.
464	8/20	Surplus property payment agreement.
465	8/20	U.S. note to Czechoslovakia.
466	8/20	Senators to attend conferences.
467	8/21	Hearings on GATT.
*468	8/21	De Gasperi funeral.
†469	8/21	Pakistan flood relief agreement.

* Not printed.

† Held for a later issue of the BULLETIN.

UNITED STATES
GOVERNMENT PRINTING OFFICE
DIVISION OF PUBLIC DOCUMENTS
WASHINGTON 25, D. C.
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300
(GPO)



the
Department
of
State

For the busy reader . . .

Foreign Policy Briefs

published every 2 weeks by the Department of State, saves you reading time while giving you a well-rounded picture of this Nation's foreign affairs. About as long as a newspaper page and half as wide, this fortnightly news sheet keeps you abreast of significant foreign policy developments reflected in statements, reports, and documents from all Government agencies.

A typical recent issue included items on coexistence, the cold war, Korea, Japan, China, Germany, technical assistance, Iran, Egypt, and the U.S. information program.

If you count your time at a premium, *Foreign Policy Briefs* is your short cut to a *quick, clear, and comprehensive* understanding of America's position in world affairs.

Place your subscription to *Foreign Policy Briefs* with the Superintendent of Documents, Government Printing Office, Washington 25, D. C. The subscription price is \$1.00 a year.

Order Form

To: Supt. of Documents
Govt. Printing Office
Washington 25, D.C.

Enclosed Find:

\$.....
(cash, check, or
money order).

Please send me copies of *Foreign Policy Briefs*.

Name:

Street Address:

City, Zone, and State: